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**Postconflict Borderlands: the Micro-dynamics of Violence in Nepal's Central-Eastern
Tarai, 2007-2009**

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**Thesis submitted for the Degree of Doctor of Philosophy in the Department of Development
Studies, School of Oriental and African Studies, University of London**

Submitted 11 September 2012

Resubmitted with examiners' suggested revisions: 15 July 2014

Declaration for PhD Thesis

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Kathryn Mary Hohman

July 2014

ABSTRACT

This thesis presents an argument for examining the politics of postconflict and demonstrates how the new, and uniquely, politicized contestations in a post-CPA Nepal have contributed to continued local-level violence. Based on one year of ethnographic fieldwork in Nepal, this thesis examines violence in the postconflict period, specifically in the central-eastern tarai region between the years 2007 and 2009. The thesis asks: How was the local level violence that persisted after the signing of the Comprehensive Peace Agreement understood by conflict actors and civilians in the central-eastern tarai? Furthermore, how do NSAG members and civilians experience that violence? More broadly, how are social relationships being negotiated in the postconflict period and how have such transformations impacted on individual and collective lives in the central-eastern tarai region of Nepal?

The study focuses on the border as the unit of analysis and examines the relationship between borders and belonging in Nepal. The study proposes that the key variable that explains low-intensity violence in the central-eastern tarai is the proposal of ethnofederalism. It analyzes how the formation of the nation and relations between the state and central-eastern tarai residents impacted on NSAG recruitment and activism.

The study offers new empirical data by presenting an ethnography of NSAG recruitment and participation as well as narratives of civilian perceptions of, and experiences with, violence. This study aims to fill a gap in the conflict recurrence literature which assumes that the actors who are involved in conflict violence and “postconflict” violence are one and the same. The main theoretical contribution of this thesis is the finding that new actors are involved in low-intensity violence in the “postconflict” period in the central-eastern tarai region of Nepal.

TABLE OF CONTENTS

Abstract.....	3
Acknowledgements.....	6
Chapter One: Introduction.....	12
Chapter Two: Research Setting and Methodolgy.....	43
Chapter Three: Historical Overview: The Formation of the Nepali Nation-State.....	74
Chapter Four: A Borderlands Perspective: Tarai History History.....	101
Chapter Five: Borderlands and Belonging.....	122
Chapter Six: The Ethnofederal Proposal in Nepal.....	154
Chapter Seven: The Everyday Life of “Postconflict” in Nepal’s Central-Eastern Tarai.....	187
Chapter Eight: Non-State Armed Groups in Nepal’s Central-Eastern Tarai.....	216
Chapter Nine: Civilian Counterframes.....	249
Chapter Ten: Conclusion.....	285
Bibliography.....	304
Appendix 1: Madheshi Mukti Tigers Manifesto	327
Appendix 2: Agreement Between the GoN and the UMDF	332
Appendix 3: The Parasite	334

TABLES

Table 1: Typology of Non-State Armed Actors.....	33
Table 2: Caste Hierarchy of the Muluki Ain.....	81
Table 3: Elements of "Panchayatocracy".....	84
Table 4: Caste/Ethnic Composition of Parties' Central Committees in 2001.....	90
Table 5: Caste and Ethnic Composition of Legislatures.....	91
Table 6: Major Caste and Ethnic Divisions in Nepal.....	111
Table 7: Population of Major Ethnic and Caste Groups, 2001.....	113
Table 8: Typology of Non-State Armed Groups.....	217

FIGURES

Figure 1: Map of Nepal.....	45
Figure 2: Map of Primary Fieldwork Sites 2008-2009.....	53
Figure 3: Map of Ethnic Distribution.....	160
Figure 4: Number of Victims Killed During the Maoist "People's War" Years.....	191
Figure 5: Reported Killings in the Central-Eastern Tarai, 2007-2009.....	192
Figure 6: Reported Abductions in the Central-Eastern Tarai, 2007-2009.....	192
Figure 7: Total Reported Killings 2008.....	194
Figure 8: Total Reported Abductions 2008.....	194
Figure 9: Reported IED/Explosions 2008.....	195

PHOTOS

Photo 1: Village home with traditional Mithila painting	48
Photo 2: Janaki Mandir	52
Photo 3: Student elections at university in Janakpur.....	88
Photo 4: Sunset on the tarai	102
Photo 5: Protest in the streets of Janakpur	207
Photo 6: Women talking in Janakpur.....	211

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All errors in this thesis are mine alone.

ACRONYMS AND ABBREVIATIONS

APF	Armed Police Force
CDO	Chief District Officers
CPN-M	Communist Party of Nepal-Maoist
CPN-UML	Communist Party of Nepal-United Marxist Leninist
CPA	Comprehensive Peace Agreement
CDP	Conflict Data Project
CA	Constituent Assembly
CoW	Correlates of War
DSP	Deputy Superintendent of Police
FGD	Focus Group Discussion
HMG	His Majesty's Government
ICG	International Crisis Group
INGO	International Non-Governmental Organization
INSEC	Informal Service Sector Center
JTMM	Janatantrik Tarai Mukti Morcha
JTMM-Goit	Janatantrik Tarai Mukti Morcha-Goit faction
JTMM-Jwala Singh	Janatantrik Tarai Mukti Morcha-Jwala Singh faction
JTMM-Rajan	Janatantrik Tarai Mukti Morcha-Rajan faction
MJF	Madheshi Janadhikar Forum
MPRF	Madheshi People's Rights Forum
MoPR	Ministry of Peace and Reconstruction

MRMM	Madhesi Rashtriya Mukti Morcha
NHRC	National Human Rights Commission
NA	Nepalese Army
NC	Nepali Congress
NSP	Nepal Sadbhavana Party
NWPP	Nepal Workers and Peasants Party
NGO	Non Governmental Organization
NSAA	Non-State Armed Actor
NSAG	Non-state Armed Group
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office for the High Commission on Human Rights
PLA	People's Liberation Army
RNA	Royal Nepalese Army
SPA	Seven Party Alliance
SPA-M	Seven Party Alliance-Maoist
UMDF	United Madheshi Democratic Front
ULF	United Left Front
UN	United Nations
UNDP	United Nations Development Programme
UNMIN	United Nations Mission in Nepal

CHAPTER ONE

Introduction: “Postconflict”, Violence, and Analytical Framework

In Nepal, the signing of the Comprehensive Peace Agreement (CPA) signaled to the world that the war between the Communist Party of Nepal-Maoist (CPN-M) and the state had officially ended. In shared practice, national and international actors labeled the time period that followed “postconflict”, where activities like “peacebuilding” and “conflict resolution” have become central to life in “transition”. However, in Nepal, scores of people continued to experience socio-political violence after the signing of the CPA. In the years following the peace agreement, manifestations of local conflict persisted in places like the central-eastern tarai, and violence had become a normalized feature of everyday life.

Furthermore, individuals with whom I spoke expressed concern with the label “postconflict”, afraid that it would conceal their experiences with continued violent conflict. The existence of violence in the wake of the peace accords therefore confounds ideas about what “postconflict peace” looks like. Against this backdrop, this thesis examines perspectives on how and why people in the central-eastern tarai experienced and/or participated in violence after the signing of the CPA, specifically in the years 2007 through 2009. It analyzes how factors such as the push for ethnofederalism to be included in the new Constitution, combined with factors such as legacies of violence, political impunity, and criminality impacted on the practice and experience of violence in the aftermath of the Comprehensive Peace Agreement. The analytical framework of this thesis is, therefore, centered on how postconflict institutional designs, perceptions of belonging, and violent conflict relate to each other and how they are intertwined with the politicization of ethnicity. It puts into conversation literature on conflict recurrence, borderlands, belonging, ethnicity and ethnofederalism, and collective action framing.

This thesis presents an argument for examining the politics of postconflict and demonstrates how the new, and uniquely politicized contestations in a post-CPA Nepal have contributed to continued local-level violence. The main research question of this thesis asks: how was the local level violence that persisted after the signing of the Comprehensive Peace Agreement understood by conflict actors and civilians in the central-eastern tarai? Furthermore, how do NSAG members and civilians experience that violence? More broadly, in what ways are social relationships being reconfigured in the postconflict period and how have such transformations impacted on individual and collective lives in the central-eastern tarai region of Nepal?

The section that follows outlines the literature out of which this thesis emerges.

Conflict Recurrence

The end of the war has not brought an end to violence in Nepal. As such, this thesis is concerned with violence in post-war Nepal. This postconflict violence defies easy categorization: it is not civil war, nor does it fit the criteria for conflict recurrence¹. Yet, as growing research has considered, postconflict societies can continue to be plagued by violence (Bakke 2010; Steenkamp 2005; Surkhe and Berdal 2012). As Call (2012) emphasizes, renewed conflict is deeply demoralizing; the failure of a peace process “calls into question the entire effort and industry of peace” (3). Bakke further notes that the consequences of continued violence in states that have just emerged from war can be dire; violence is not only destabilizing for a population trying to recover from armed conflict, but it can lead to a recurrence of war (2010: 90).

¹ This is based on the common definition of civil war employed by the Correlates of War Project, which defines war as 1,000 battle-related deaths in a year and the Uppsala Conflict Data Program, which measures war as 25 battle-related deaths in a single year.

This thesis is concerned with organized violence in the central-eastern tarai after the signing of the Comprehensive Peace Agreement in Nepal. The literature on civil war is robust and can be broken down into conflict onset and conflict recurrence literature. Most relevant for this study is the conflict recurrence literature; however, a brief examination of elements of conflict onset literature is warranted².

Conflict Onset

The conflict onset literature is, largely, quantitative and focuses on risk factors to explain the emergence of civil wars. Early studies of conflict onset emphasized theories such as relative deprivation (Gurr 1970), postulating that conflict arises when there is a discrepancy between aspirations and achievements: between what people think they deserve and what they can actually attain. Under relative deprivation theory, unequal distribution of wealth and access to resources, for example, fuel frustration and feelings of being “relatively deprived” compared to the general population. Collier and Hoeffler (2004), by contrast, argue that there is not a strong relationship between inequality and the onset of violent conflict, as measured by individual income inequality. For these authors, the predatory acquisition of commodity exports by “greedy rebels” fuelled armed conflict. Rational, utility-maximizing actors pursued economic opportunities made available by abundant natural resources such as diamonds in Sierra Leone or drugs in Colombia. Wimmer (2013), by contrast, argues that violent conflict is a result of high levels of political inequality and ethnic underrepresentation in government.

² To be clear, this thesis does not argue for a definition of postconflict violence in the central-eastern tarai as “civil war” or “civil war recurrence”; however, it does draw on the conflict recurrence literature to examine violence in the postconflict period in the central-eastern tarai region of Nepal. Civil war recurrence literature offers a more specific framework for approaching the questions outlined in this study than the more broad conflict onset literature.

Fearon and Laitin (2003), also argue that political grievances are not strong indicators of civil war onset. Rather, factors such as poverty, political instability, rough terrain, and large populations increased the risk of civil war. Weak states are also linked to the onset of civil war (Rotberg 2004; Zartman 1995). Other scholars emphasized the “security dilemma” in theorizing conflict onset. Such “weak state” theories point to the inability of states to offer security to threatened groups (Lake and Rothchild 1998). Originating in the realist tradition of political science, the security dilemma refers to those circumstances under which proximate groups of people find themselves responsible for their own security (Posen 1993), assessing other groups’ potential threats and increasing the probability for offensive armed actions. The security dilemma is overcome when third parties can guarantee peace (Walter 1997, 2002), for example.

However, these studies focus on individual level phenomenon and do not address the social aspects of group interaction in explaining the onset of violence. This thesis, therefore, adopts a constructivist approach to understanding violent conflict and conflict participation. As Jabri (1996) notes, individuals exist within a web of institutions which impact on their actions and decision-making. A constructivist approach upholds that institutions, ideas, and identities are socially constructed, that is, they are given meaning through fluid and dynamic social practice and interaction, rather than fixed and rooted in “essential” structures. Choices are “shaped and constrained by the organization of political (and economic, social, symbolic, historic) power” (Cramer 2002: 1857; parentheses added) and “each of these levels or types of conflict subsumed in the greater war contains its own specific history of social relations” (Cramer 2002: 1853).

Underpinning the constructivist approach is a relational understanding of participation including, but not limited to, volunteerism (i.e. “greed”, “grievance”, ideology, self-preservation) as well as coercion (i.e. kidnapping). Participants in a conflict may take part through “varying degrees of coercion or voluntary choice and may represent a range of agendas of differing passions and interests that overlap in the overall conflict” (Cramer 2002: 1853). For example, self-preservation is relational and built on the changing spheres of power within a community. Participation, in contrast to non-participation, in an armed group is also considered to provide protection from abusive state forces, particularly when attacks are directed at civilians (for example, Keen 2000, Lubkemann 2008; Utas 2005a, 2005b). For example, Mats Utas (2005a) describes “girlfriend soldiering” among women in Liberia during the civil war there as one strategy of securing protection against physical abuse perpetrated the state³. Such collaboration offers perceived protection from further violence; it gives local people a strong incentive to collaborate with non-state armed groups “irrespective of their true or initial preferences” (Kalyvas 2008: 406). In his research in Mozambique, Lubkemann found that individuals “proved adept at diverting and using war-time violence to pursue social agendas that were unrelated to the political *raison d’être* of the war” (2008: 21).

Non-state armed groups also offer social benefits to their members. In his study on insurgent groups in Uganda, Mozambique, and Peru, Jeremy Weinstein explains that rebel leaders shape their organizations through recruitment of rebel soldiers based on either social or economic endowments⁴. Offering a space for members to share socio-cultural and political meanings and

³ See also Denov and Gervais (2007) for a related discussion.

⁴ Weinstein defines economic endowments as those things which come from “diverse sources, including natural resources extraction, taxation, criminal activity, or external patronage^{4a}” and social endowments as those “shared

visions for the future, in addition to material benefits (such as education or housing) allows non-state armed group leaders to cultivate a sense of loyalty to the group. Furthermore, conflicts change over time, as do individuals' motivations for continued participation.

In her study on the FMLN in El Salvador, Wood (2003) argues that rather than explaining commitment through attachment to outcomes, participants in the FMLN rooted their continued support in the pleasure of their participation: fighting against injustice, experiencing feelings of dignity in their work, increasing and exerting a sense of agency in their lives. Participation in armed groups may offer excitement (Keen 2000) or a chance to participate in a new vision of “modernity” (Leve 2009). Further, membership in non-state armed groups may offer a reversal of relationships rooted in dominance and humiliation that might have prevailed in “peacetime” (Keen 2000: 23).

Conflict Recurrence

What makes peace “stick” in some cases but not others (Call 2012)? Much of the literature on conflict recurrence focuses on peace agreements and their implementation⁵. Scholars point out that problems in implementation may provoke conflict relapse; studies of the agreement itself, commitment amongst parties, and third party enforcement provide ways of understanding a return to war (Fortna 2004a, 2004b; Walter 2004; Stedman, Rothchild, and Cousens 2002). Scholars such as Walter (1999) explore the role of bargaining to explain the difficulty in

beliefs, expectations, and norms that may exist (or be mobilized from within) certain ethnic, religious, cultural, or ideological groups” (2007: 7).

⁵ Recurrence literature is distinct from peacebuilding literature; while recurrence literature focuses on the factors that influence a return to armed conflict, peacebuilding literature, by contrast, is more prescriptive with a focus on external interventions in conflict termination; it examines peace-making (i.e. conflict resolution) and peacebuilding (i.e. peacekeeping), and offers policy recommendations from “lessons learned”. While peacebuilding studies contribute to the overall picture of postconflict environments, this thesis does not seek to engage with that specific set of literature for reasons of space and scope.

reaching and upholding a settlement in civil war. For example, scholars posit that settlements that do not address the root causes of the war lead groups to pick up arms again (Burton 1987)⁶. Walter and Snyder (1999), for example, examine the role of third-party guarantors of cease-fires and Zartmann (1995) finds that third-party mediators play a decisive role in resolving underlying issues. Warring parties also suffer from commitment problems (Walter 1999). When groups disarm their sense of vulnerability is heightened, warranting third party intervention that offer security guarantees and enforce the terms of the settlement (Walter 1999). Walter (2002), for example, finds that “If a third party assisted with implementation, negotiations almost always succeeded, regardless of the initial goals, ideology, or ethnicity of the participants; if a third party did not, these talks almost always failed” (3). Other scholars argue that groups may be excluded from the bargaining table; Stedman (1997) advances the notion that “spoilers” led to conflict resumption, where spoilers refer to conflict actors who want to derail a peace process.

Other studies posit that the nature of the settlement (i.e. victories vs. negotiations) determines the durability of peace. However, within the literature on conflict termination, scholars have found that decisive outcomes are increasingly rare; that is, negotiated peace agreements have become more common than outright victory or defeat on the battlefield (Lyall and Wilson 2009; Kreutz 2010). Kreutz (2010), however, advances a more precise dataset that offers a wider range of possible conflict terminations, beyond either victory or negotiated settlement, by examining the

⁶ This correlates with other conflict recurrence studies; Sambanis (2000), for example, argues that ethnic fractionalization, the index that measures the chance that two randomly selected individuals within a country will speak the same language, has negative statistical significance for conflict recurrence, while Walter (2004) has found no significance. Walter (2004), for example, argues that key predictors of civil war recurrence include “quality of life” factors such as life expectancy, adult literacy rates, and infant mortality rates in addition to rates of political participation. These examples draw conclusions similar to onset theories in explaining a return to violent armed conflict.

concept of conflict episodes. Kreutz (2010) demonstrates that most intrastate conflicts end under unclear circumstances that he defines as “other”⁷.

For many scholars, the key to consolidating peace is postwar state-building. Scholars such as Hegre et al. (2001) find that democratization processes and consolidated institutions decrease the likelihood of violent conflict. Power-sharing arrangements in postconflict environments also hamper the likelihood of a return to violence (Hartzell 1999; Hartzell and Hoddie 2003; Hartzell, Hoddie, and Rothchild 2001). Hartzell and Hoddie (2007) and Hoddie and Hartzell (2005) identify four specific forms of power-sharing: political, security (military, police, security forces), economic (access to resources or economic decision-making), and territorial (territorial autonomy). They argue that multiple forms of power-sharing increase the success rate of peace agreements (Hartzell and Hoddie 2003). Other studies emphasize (institutional) capacity over legitimacy (Doyle and Sambanis 2002, 2006; Fukuyama 2004; Stewart and Brown 2004; Keating and Knight 2004). By contrast, Call (2012) posits that the legitimacy derived from inclusionary practices of post-war regimes is a factor in conflict recurrence. This thesis examines the ways in which discussions around statebuilding, institutions, and inclusion have led to increased violence in the postconflict period in the central-eastern tarai region of Nepal. However, where previous studies have focused on power-sharing between former belligerents, this thesis examines new actors who are agitating for specific forms of post-war power-sharing arrangements. These arrangements include political, security, economic, and territorial forms in a post-CPA Nepal.

⁷ Kreutz’s (2010a) findings indicate that intrastate conflicts are less likely to recur after government victories or after the deployment of peacekeepers; however, risk of recurrence increases if the previous conflict is fought with rebels aiming for total control over government or if the belligerents are mobilized along ethnic lines.

Recent scholarship has focused on the variability of rebel groups, examining the role of multiple rebel groups in a civil war and its settlement (Cunningham 2006; Cunningham, Gleditsch and Salehyan 2009; Baake, Gallagher, and Seymour 2012; Cunningham, Bakke, Seymour 2012; Bloom 2005; Bakke, Cunningham, and Seymour 2012). As Kreutz (2012) points out, multiple actors in a conflict increases the risk of conflict relapse (Cunningham 2011; Doyle and Sambanis 2000) however, settlement may be reached with specific actors (Nilsson 2008, 2010). As recent work has demonstrated, actors within a warring party are not always unitary; intra-group competition can lead to the proliferation of different factions seeking competing visions (Pearlman 2009; Cunningham et. al 2012). This implies that conflicts with multiple actors may not be difficult to end, but implementation is (Kreutz 2012: 23). Bakke (2010) finds that the organization of violence during the war impacts on postconflict violence: fragmented groups increase the likelihood of violence in the post-war era.

Actors within an armed group, furthermore, have different preferences regarding goals and tactics (DeNardo 1985 in Kreutz 2012: 24). Splintering may occur when diversity of preferences regarding goals and tactics increases; those groups that prefer violent tactics may form new groups (Kydd and Walter 2002; Pearlman 2009; Stedman 1991; Zahar 2003). Some studies point to conflict between former allies within postconflict environments (Atlas and Licklider 1999).

Within the literature, there is a widely held assumption that civil war recurrence involves the same actors party to the previous conflict. While Bakke (2010) examines violence between former allies, Walter (2004) provides one of the few studies that considers actors exogenous to the conflict as those who initiate conflict relapse. Kreutz (2012) further disaggregates actors who

initiate conflict relapse into three distinct categories: previous belligerents, splinter groups formed by ex-combatants, and completely new groups which generate three distinct pathways to conflict relapse (conflict recurrence, splinter conflict, new conflict, respectively). Kreutz (2010b) develops a theory of civil war relapse that focuses on the individual's security dilemma in the aftermath of conflict: the lack of legitimate third party enforcers increases the risk for retributive violence, thus elites and rank and file seek security guarantees and anonymity, respectively; the absence of such guarantees and anonymity incentivizes former participants to remobilize and resume conflict. Through disaggregated data, Kreutz demonstrates that, for rebel victories and peace agreements, there is a decreased risk for relapse involving belligerents but an increased risk for splinter conflict (2012: 29). Kreutz's (2010b) primary focus is, therefore, on demobilized combatants.

The approach offered by Kreutz (2012) and Walter (2004) concerning new conflict actors is directly applicable to this study. While Kreutz (2012) and Themner (2011) argue that actors with a background in the conflict are easier to mobilize, this study presents data that demonstrates that actors exogenous to the civil war in Nepal were able to mobilize around a distinct new agenda while, still, utilizing the tactics and organizational strategy of the conflict's ex-combatants (the Maoists). This approach allows for further examination of conflict recurrence, which includes new actors. Specifically, this case study is focused within the sub-set of post-peace agreements and, following the call for disaggregation in studies of conflict recurrence (Kreutz 2010a), cannot be generalized to other postconflict environments (i.e. rebel or government victories, "other" or unclear circumstances).

Outside of the conflict recurrence literature, recent research has begun to examine continued violence in the aftermath of war (i.e. Godoy 2002; Moser and McIlwaine 2001). Examples such as El Salvador and Guatemala have been presented as successes in the peacebuilding literature, but levels of violence have remained high. In Guatemala, for example, rates of extra-judicial killings were higher ten years out of the war than at any time during the conflict and, in El Salvador, crime rates increased by 300 percent in the period immediately following the signing of the peace accords (Berdal 2009). While the phenomenon of violence in post-war settings is not a new observation, little analysis of such violence has been conducted.

Scholars examine the role of a “culture of violence” (Steenkamp 2005) to explain violence in the aftermath of war. Steenkamp, for example, argues that war’s impact on social norms and values produces a socially permissive environment in which violence continues even though violent politics has officially ended (2005: 253); in other words, she explores not why individuals are violent, but the context which creates the norms and values that enable the sustained use of violent actions. The signing of a peace agreement does not remove the norms and values that sustain the use of violence. For Steenkamp, violence loses its political meaning and becomes a way of dealing with everyday issues (2005: 245). Godoy (2002) further argues that certain forms of massive violence cause social trauma that can lead to particular forms of postconflict violence; in her study of post-war Guatemala, Godoy posits that lynchings were a manifestation of state terror comprehensible only against the backdrop of war’s violence. In other words, the legacy of wartime violence has effects on violence perpetrated in the aftermath of war. Examining the cultural context of violence offers some leverage for explaining the tactics of non-state armed groups in the central-eastern tarai; linking the forms of violence used by NSAG activists and

those used by the Maoists emphasizes the interconnectedness of the micro (NSAG) and macro (Maoist) processes of violence.

Bakke (2010) further argues that post-war violence may follow from the organization and nature of the violence during the war itself (91). Berdal (2009), for example, notes that among the post-war targets of violence in Guatemala were members of the same category of targets during the civil war: political leaders, priests, judges, and journalists (56). In this categorization of post-war violence, Berdal argues that such violence must be understood “in relation to other patterns of violence already embedded within society” (2009: 72), while being careful not to assert that violent action is determined by culture. Such violent action, therefore, can be influenced by the complexity of war-time violence and used in post-war political life as a way of settling disputes, doing business, maintaining a hold on power, or assembling a particular political order as seen in post-war settings like Haiti and the DRC (Berdal 2009). In other words, a careful examination of the role that violence has played in the history of the country and in war-time in particular is important to understanding postconflict violence.

Furthermore, a climate of impunity may contribute to high levels of violence in postconflict settings. Kreutz, Marsh and Torres (2011), for example, argue that the lack of legitimate state control in postconflict environments contributes to increased rates of criminality, domestic violence, and development of local gangs and militias. Berdal (2009), in particular, focuses on the demobilization process of combatants, and the associated lack of legitimate income generation opportunities, in places such as Haiti, Mozambique, Liberia, and El Salvador to explain the sharp rise in crime rates in those post-war societies. Furthermore, criminal activities

may emerge as local survival strategies but mutate into more organized forms (Berdal 2009). Berdal (2009) points to kidnapping as an example of an activity which has characterized a number of postconflict settings including Iraq, Afghanistan, Haiti, and Colombia (62). Berdal explains that crime has become a feature of postconflict societies for three reasons: (1) alliances between criminal groups and political actors have survived into the postconflict phase; (2) postconflict settings provide enabling environments for organized crime; and (3) the privatization of security forces (in some settings) has contributed to the growth of criminal networks (2009: 63). Criminal activities have helped sustain efforts where groups lack the financing of external patrons. This has been the case in the central-eastern tarai where arms and ammunition, in particular, have been trafficked by NSAGs, as will be discussed in later chapters. Furthermore, the ‘political-criminal nexus’, or, the relationship between the political establishment and criminal groups, is a feature of postconflict environments (Berdal 2009).

Conflict Recurrence and the Study

While the violence in the central-eastern tarai does not strictly adhere to the common definition(s) of “civil war” employed in large-N data sets⁸, the forms and rate of violent events indicate low-intensity conflict worth examining. Such low-intensity violence has consequences both for the state and for the broader population. Demands made on the government for specific forms of state-restructuring along ethnic lines, specifically the creation of a Madheshi province (“ek Madhesh, ek pradesh”), and increased power in the form of political representation, combined with the phenomenon of both targeted assassinations of government representatives and extra-judicial killing of non-state armed group members by security forces characterize the

⁸ That is 1,000 battle-related deaths in a year (Correlates of War) or the much lower threshold defined by the Uppsala Conflict Data Program at 25 battle-related deaths in a single year.

dynamics of violence in the central-eastern tarai. This distinguishes the violence in the central-eastern tarai from strictly communal violence but does not elevate it to the scholarly definition of “civil war” or “civil war recurrence”. So, while “civil war recurrence” has been used as a precise term to measure and examine continued violent conflict after a war has ended, this study utilizes the literature and concept in a much broader sense, which includes low-intensity violence initiated by new actors directed at both the state and civilians.

This argument, therefore, develops two new strands of analysis: examining new conflict actors in renewed violent conflict and understanding how disagreements over post-peace agreement state-building and institutional arrangements can initiate new violence. Examining who is involved in postconflict violence, and why, contributes to the literature on conflict recurrence.

Defining Key Terms: Postconflict, Violence, and Non-State Armed Groups

“Postconflict”

This thesis deals with the concept of “postconflict” “peace”. Therefore, this section details the ways in which these concepts are used throughout this project. Peace agreements act as markers of “events” within a historic linear framework. Following such an event, labels such as “postconflict” establish that a country and its people have moved into a peace process and, peace processes, as James Scott argues, establish legitimacy and legibility (1998). The United Nations defines ‘postconflict’ as “the first two years after the main conflict in a country has ended” (United Nations 2009: 1) where, the “immediate postconflict period offers a window of opportunity to provide basic security, deliver peace dividends, shore up and build confidence in the political process, and strengthen core national capacity to lead peacebuilding efforts thereby beginning to lay the foundations for sustainable development” (United Nations 2009: 1).

In their study of ‘post-war’ environments, Berdal and Suhrke write that,

The end of a war is generally expected to be followed by an end to collective violence, as the term ‘postconflict’ that came into general usage in the 1990s signifies. In reality, however, various forms of deadly violence continue, and sometimes even increase after the big guns have been silenced and a peace agreement signed. Explanations for this and other kinds of violence fall roughly into two broad categories those that stress the legacies of the war and those that focus on the conditions of the peace (2011: 1)

In other words, we cannot simply assume that, once a peace agreement is signed or a compromise is reached, violence will simply disappear (Berdal and Suhrke 2011). Furthermore, there is no such thing as “one generic post-war environment” (Berdal and Suhrke 2011: 5). Furthermore, if “peace” has been “achieved” in Nepal, we need to ask which peace, for whom (Keen 2008)?

As a description of life after the signing of a peace agreement, ‘postconflict’ is a misleading term (Heathershaw and Lambach 2008). As Heathershaw and Lambach point out, a ‘postconflict’ society will have no shortage of conflicts or violence; it just means that these conflicts and this violence are being addressed in new modalities of internationalized governance. The ambiguousness of these situations has variously been described as ‘no peace, no war’ (Richards 2005) or ‘no war, no peace’ (MacGinty 2006)” (278). Christopher Cramer writes further that, “postconflict” “[is] an ungainly notion whose usage is partly habitual but which might also be ideologically and politically convenient” (2006: 10). Such “convenience” very often yields a monolithic approach to understanding the dynamics of violence within a time-bound, linear framework. Within the literature, authors discuss “war to peace transitions” that imply a unidirectional shift and, as Heathershaw and Lambach point out, “the idea that postconflict countries find themselves on the path from the horrors of war to the promises of peace underpins

much of the literature.” (278). But, as Goodhand and Walton (2009) point out, war to peace transitions are “always conflictual and often violent. Peace processes are moments of change when the new rules of the game and one’s position in the game are decided; in this sense they always involve ‘positional conflicts’, as different groups attempt to either get a seat at the table or disrupt the table” (314). Under the conditions of “postconflict” authority is generated, recognized actors begin consolidating “the peace”, and outliers (often labeled “spoilers”) risk becoming further marginalized. The peace process, then, is best seen as an “intensified political environment” which provides a variety of opportunities for different actors to generate legitimacy (Goodhand and Walton 2009: 316).

While authors like Berdal and Suhrke (2011) reject the use of the term ‘postconflict’⁹ in favor of the term ‘post-war’, the temporal implications are the same¹⁰. Moreover, like Berdal and Suhrke (2011), I maintain that trying to “construct a general definition of ‘the post-war period’ serves no purpose” (7); however, the lens through which violence is studied in this context is temporally fixed. Take, for example, Surkhe’s observation that time matters in describing violence:

the question of defining post-war violence becomes a matter of analytical perspective and methodology. One approach is simply to define a certain time period as ‘post-war’; all violence within this period then becomes violence in the post-war state. In quantitative studies, a common cut-off point is typically one five-year period (Archer and Gartner 1976) or two five-year periods (Collier and Hoeffler 2004). This methodology records rape as ‘post-war rape’ if it occurred in, say the Democratic Republic of Congo (DRC) within five or ten years of the last war, but ‘*just*’ rape if it occurred 20 years after the last war” (7, *italics in original*).

⁹ On the basis that they consider it an oxymoron (Berdal and Suhrke 2011: 1).

¹⁰ By contrast, I retain the term ‘postconflict’, as it is the one that is used prominently throughout Nepal in the media, by national politicians, in development discourse, and by local people. Even non-English speakers use the term ‘postconflict’, denoting its widespread usage in Nepal.

‘Post-war’, then, refers to a phase that is extraordinary in some sense: a transition from war to more ‘normal’ conditions where the time it takes to get from “here” to “there” is unknown but expected not to last “too long” (Berdal and Suhrke 2011). However, what are ‘normal’ conditions? Who decides, and how, when such “normal” conditions have been reached? Framing violent conflict as an “event” occurring in “socially unstable places”, presumes “a wholeness, stability, and lack of conflict and violence in social formations in periods of “non-war” that may not really have been there to begin with” (Blok 2000); implicitly casting “normal” social processes as conflict and violence free” (Lubkemann 2008: 23).

As this thesis makes clear, “[t]he very lines between the social conditions of war and non-war may be less clear to those who continue to engage in everyday social negotiation and struggle throughout both” (Lubkemann 2008: 23). This thesis presents original ethnographic data that demonstrates the dynamics of ‘postconflict’ from the point of view of local people whose experiences challenge the notion that “peace” is felt equally throughout the country and provides a compelling argument for why this is so.

As Cristopher Cramer writes, “definitional frames are often more than purely descriptive: they may shape what is viewed and how it is interpreted” (2006: 51). Furthermore, classification systems are “generally determined by some purpose, they are not ‘natural’ and they should always be questioned. Where the events or phenomena being organized are largely continuous, inventing or choosing categories involves fixing an artificial border around one group of events” (2006: 58). This study, therefore, examines violence on a continuum; violence is multiple and varied, a notion which has developed by theorists of symbolic violence (Bourdieu 1977) and

structural violence (Bourgois 2003; Farmer 1992, 1999, 2003; Galtung 1969; Gilligan 1997; Scheper-Hughes 1993, 1996, 1997).

Violence

Anthropologists studying violence examine not only the kinds of symbolic or structural violence that occur before wars, during times of “peace”, but they also explore ways in which localized, historical contexts have shaped war-time violence. Such research has opened the way to understanding the “continuum” of violence, a perspective which this study shares. Ultimately, the politics that must serve as the point of departure should be defined in relation to the social and cultural worlds that are most meaningful to the everyday practices of people living with violent conflict themselves (Lubkemann 2008). Following Chenoweth and Lawrence (2010), re-thinking violence requires privileging a dynamic, rather than static, understanding of violence in space and time (3-6).

Violence is a deeply endogenous process, meaning that social life and all that encompasses it—behaviors, beliefs, even identities—can be altered as a result of conflict (Kalyvas 2006). Further, “[v]iolent actions, no less than any other kind of behavioral expression, are deeply infused with cultural meaning and are the moment for individual agency within historically embedded patterns of behavior (Whitehead 2004: 9). It may also be engendered by local, regional or subregional disputes “whose origins are in the complexities of local political history and cultural practices” (Whitehead 2004: 6). “Some forms of violence are clearly designed to challenge established cultural norms, but they do so from within a cultural discourse that is shared with the victims or it could not be an effective action in the first place” (Whitehead 2004b: 60). Yet,

scholars must be clear not to mistake “meaningful” violence with violence that is morally justifiable (Lubkemann 2008).

Further, in contrast to the liberal perspective, violence can be a “productive” or “generative” process (Lubkemann 2008). It is commonly understood that conflicts always and inherently have negative consequences, ignoring the fact that conflicts might have different and, sometimes, positive outcomes. However, it should be noted that by labeling violence as “productive” I am not arguing in support of violent conflict. Like Lubkemann (2008), I am attempting to situate violence as a “form of action deployed in its own social and cultural context in order to delineate the full complexity of its contradictory effects on social fields-in a manner that grants it no more theoretical privilege than any other action” (Lubkemann 2008: 36). This theoretical perspective puts forward the notion of war and violence as complex social phenomena and not an innate, predisposed function of human nature (as argued, for example, by Huntington 1993).

An overly simplistic view of violence and peace (i.e. violence is “bad”/peace is “good”) tells us very little about the relationship between the two (Keen 2008). This thesis, therefore, examines the meanings that violence has taken, particularly for the individuals involved in “doing violence”, and presents the voices of those who are living in “postconflict”.

Non-State Armed Groups

The establishment and growth of NSAGs in the central-eastern tarai represents a new chapter in the region’s history and is specific to the ‘postconflict’ environment in Nepal. It represents a new chapter in Madheshi activism, that which has incorporated previous forms of violence into more everyday, mainstream disruption of local lives. Because of the range of explanations for violence

and participation in violence, it is necessary to narrow the focus. This study asks the question, “why has violent conflict persisted in the central-eastern tarai after the signing of the Comprehensive Peace Accords”? As such, this study is concerned with a particular type of violent conflict in a particular space (the central-eastern tarai), in a particular time period (2007 to 2009). Therefore, a clear understanding of the types of violent acts undertaken by whom is warranted.

Violence in postconflict environments can embody different dimensions; it can be political or criminal, directed at the state or at civilians, it can be strategic or non-strategic. Violence in the central-eastern tarai has been perpetrated or organized by two groups: (1) non-state armed groups and (2) representatives of the state, namely police and political actors. This study focuses on specific acts of violence which includes targeted killings, kidnappings, bombings/IED explosions, and extortion/threats/forced donations. As this study will demonstrate, non-state armed groups directed violent acts (i.e. targeted killings, kidnappings, extortion) at both the state and local civilians and, to a limited extent, against other non-state armed groups. Violent acts perpetrated by the state included targeted killings and extortion and were directed at non-state armed groups but, as will be demonstrated, had an acute impact on local civilians.

This thesis further posits that postconflict violence in Nepal demonstrates dimensions of strategic violence; following Boyle’s (2009) definition, strategic violence is politically motivated violent acts with the purpose of “transforming the balance of power and resources in a contested area”

(212)¹¹. Furthermore, “Although strategic attacks can appear random, they are usually highly selective in victim selection and serve a distinct goal¹²” (Boyle 2009: 212). However, Boyle’s work rests on an exclusive discussion of explaining post-war strategic violence between former war-time belligerents¹³; while he excludes communal attacks, his framework leaves open the possibility for explaining violence amongst new armed actors in a postconflict setting.

For this study, I have adopted Mulaj’s (2010) definition of non-state armed groups (NSAGs), identified as actors which “resort to organized violence as a tool to achieve their goals. ‘Non-state’ is understood here in nominal terms. This implies that the ‘state’/‘non-state’ divide is not necessarily clear cut, given that VNSAs [violent non-state armed actors] not only operate in opposition to, or cooptation by, a state or states, but often also exist in a dependent relation to the state in terms of support, benefits, and recognition” (3). Further, non-state armed groups are typically categorized in distinct ways; for example, “in terms of seeking to change or maintain the status quo, or in terms of their primary or secondary relation to profit motivation” (Mulaj 2010: 6). Bailes and Nord (in Mulaj 2010: 446) provide a typology of violent non state actors in

Table one:

¹¹ Such violence is defined as: “(1) targeted killings and assassinations, usually of prominent individuals or state officials; (2) riots and pogroms, in which local elites and angry mobs conspire to kill or expel parts of a perceived hostile population; (3) symbolic attacks, such as the destruction or desecration of religious sites or political symbols; and (4) reprisals, defined here as the targeting of innocent civilians ostensibly in response to a previous act of violence” (Boyle 2009: 211-212).

¹² Strategic attacks can be used for the following reasons: (1) outbidding, where rebels demonstrate their capacity to inflict harm in their pursuit of a greater share of power and resources in the state; (2) spoiling, where groups attempt to change the terms of a peace settlement; (3) hedging, where armed groups attempt to strengthen their hand no matter whether the peace settlement holds or not; (4) enrichment, capturing key resources to provide material rewards for members of the group (Boyle 2009: 212).

¹³ And, specifically, who has captured state power. Boyle writes, “former combatants face powerful incentives to attack targeted groups if they have failed to achieve decisive control over the coercive apparatus of the state and if clearly identifiable target groups remain intermingled, and vulnerable, in the population. Whether they will do so depends on the extent to which a single combatant controls the state and can (a) reward domestic followers and (b) conduct in-group policing” (2009: 211).

Table 1: Typology of Non-State Armed Actors

Type of NSAG	Seeking Change	Pro or anti-status quo	Profit Motive
Armed rebels	YES	ANTI	(secondary)
Pro-government militias/'death squads'	NO	PRO	(instrumental)
Warlords/clan chiefs	NO	PRO	(secondary)
Terrorists	YES	ANTI	(instrumental)
Criminals, gangs	NO	(indifferent)	YES

Source: Adapted from Bailes and Nord (in Mulaj 2010: 446)

While Table one offers background for understanding how non-state armed groups' motivations are perceived in the literature, such motivations and activities are conceptualized as distinct and mutually exclusive. However, as this thesis will demonstrate in later chapters, non-state armed groups in Nepal's central-eastern tarai exhibit a greater degree of fluidity and overlap in their motivations and activities than exemplified in Table one. Specifically, I will argue that in the central-eastern tarai the distinction between 'armed group/rebel' and 'criminal' is not clear-cut. Since external funding has not been made available to NSAGs in the central-eastern tarai and, since NSAGs there do not typically engage in legal commerce, predatory or criminal pursuits help to finance the groups' activities. As a result of NSAGs adopting a variety of tactics to pursue their strategies, difficulties in finding ways to deal with such actors are compounded (Mulaj 2010).

Original Contributions of the Thesis

This thesis distinctively contributes to existing scholarship through unique empirical data and theoretical analysis of the “postconflict” landscape in Nepal. As a case study, this research has wider significance for violence, conflict, and development studies, which has seen an increased scholarly and applied interest in “life after war”. The transdisciplinary nature of such a topic requires a narrowing of the study and I have chosen to draw on literature primarily originating from the disciplines of anthropology, politics, geography, and development studies. Such an approach synthesizes insights from multiple fields (Chenoweth and Lawrence 2010: xi-xiii), which contributes to the originality of my approach. This thesis therefore offers several original contributions through its theoretical advancements and original empirical evidence contained herein.

First, while Berdal and Suhrke (2011) offer the most innovative approach to studying ‘postconflict’ violence to date, as described above, their framework excludes a deep examination of the sociality of the ‘postconflict’ landscape. The “thickness” of the data contained in this thesis explicitly fills that gap. My theoretical agenda therefore builds from Berdal and Suhrke’s (2011) assertion that there is not one “generic” post-war environment. It also builds on Lubkemann’s (2008) temporal observations of war (“war is not a matter of all terror all the time”) and Korf, Engeler, and Hagmann’s (2010) spatial addition to Lubkemann (2008): “War is not a matter of ‘all terror all the time’ all over the place” (386, italics in original). While Lubkemann (2008) and Korf et al. (2010) locate their arguments within warsapes (Nordstrom 2004), a similar logic also holds true for ‘postconflict’ landscapes: ‘postconflict’ ‘peace’ is not experienced in the same way all the time, all over the place. As this thesis will argue, the

intersection of temporal and spatial factors in Nepal have produced violence that challenges the discourse of “postconflict” peace in that country.

Second, the research focuses on a hitherto under-researched region of Nepal and significantly adds to existing scholarship on the tarai. To analyze an environment where there exists a continuation of conflict and political violence after the signing of a peace agreement, I chose Nepal’s central-eastern tarai for three reasons. First, the largest number of non-state armed groups operated out of this region; specifically the districts of Dhanusha, Siraha, and Saptari. Second, media and analysts have attributed the violence occurring during the “postconflict” period to ethnicity, yet fall short of interrogating the history or construction of such an ethnicity, therefore relying on uninterrogated stereotypes or uncontextualized information. This thesis argues that homogenous notions of ethnic identity are troubling and therefore seeks to disrupt the notion of a monolithic “imagined community” of people, such as “the Madheshis”. People within the tarai, especially those labeled “Madheshi”, are continually engaged in deep discussions about who they are and how they are represented, both locally and nationally. This thesis acknowledges that the Maoist “People’s War” set in motion a national dialogue about ethnicity and identity, but demonstrates that a narrow focus on ethnicity as inherently conflictual precludes a more complex analysis of local spatialized, socio-political dimensions of conflict. Through in-depth interviews, this thesis examines the multiplicity and dynamism of identity construction in the post-peace agreement period in Nepal. Third, there is a general lack of research and work in/on the socio-politics of the tarai, particularly focusing on “Madheshi” groups. Surveying available literature on this region demonstrates the dearth of information available; to date, there

are approximately 450 written materials¹⁴ devoted to the region (Bista and Manandhar 2009). Of these publications, 183 focused on technical agriculture or forestry while 270 documents analyzed largely culture, society, art, and/or language with occasional works devoted to politics and economy (Bista and Manandhar 2009). Further, much of the anthropological focus on the tarai has been on the Tharu. For example, of the studies focusing on “social life”, 37 attend to Tharu culture. Where analyses focus on the eastern tarai, 21 analyze Maithili language, and 17 explicitly focus on the politics within the central-eastern tarai region (Bista and Manandhar 2009). While research that focuses on the political participation of marginalized groups in Nepal does exist (for example, de Sales 2007; Lecomte-Tilouine 2004, 2009a, 2009b; Shneiderman 2003, 2009; Shneiderman and Turin 2004), it is primarily “stuck in the hills”. Frederick Gaige, author of the most comprehensive study of the tarai to date, comments, “In contrast, [to the mountainous regions of Nepal], the plains region of Nepal—the tarai—has received comparatively little attention from either Nepalese or foreign scholars, perhaps because it is hot, dusty, topographically undramatic and, until recently, malarious” (Gaige 1975: xv). Nearly 40 years later Gaige’s statement is still accurate. In a 2007 report titled, “Nepal’s Troubled Tarai”, the International Crisis Group laments that “Academia and the media have paid scant attention to Madhesi concerns” (1). Research that focuses on the political landscape of the tarai is sorely needed, and this research serves to fill that gap.

Third, little attention has been paid to the way in which the end of one armed conflict can inspire new conflicts and, in the case of Nepal, no academic research, to date, has been published on the

¹⁴ Materials include published materials (books and reports); unpublished materials (reports and seminar papers); articles from books; and articles from journals available in English (Bista and Manandhar 2009).

local conflict environment after the signing of the Comprehensive Peace Agreement¹⁵. To date, most of the academic scholarship on violence in Nepal has focused on various aspects of the Maoist “People’s War” between the time period 1996 and 2006¹⁶. Further, much of this research has focused on what has been deemed the “Maoist heartland”¹⁷ (i.e. western Nepal, specifically Rolpa and Rukum). Authors raise questions of rebel recruitment (Eck 2007, 2009, 2010) and Maoist participation (Fujikura 2003; Shneiderman 2003; Shneiderman 2009; Shneiderman and Pettigrew 2004; Shneidermann and Turin 2004), the rise of ethnic politics (de Sales 2007; Lecomte-Tillouine 2004, 2009b), and the conditions of living between Maoists and the state (Lecomte-Tillouine 2009a; Pettigrew 2004). This work has been innovative and important in paving the way for scholarly studies of violence in Nepal, but further research is needed to understand the ways in which violent conflict has transformed the social landscape “after the war” and, further, the ways in which such violence have continued beyond “the war” itself.

Fourth, this research is the first academic investigation of non-state armed groups based in the central-eastern tarai region of Nepal to date. While the research adds to the existing body of literature on violent intrastate conflict, the empirical data provides a deeper investigation into the heterogeneous, multiple, and complex experiences of living with, and participating in, violence.

While this thesis is an original and unique contribution to scholarly studies on violence, conflict, and development in Nepal, the findings of this research have some limitations. First, this study

¹⁵ However, a handful of policy documents have been produced by international organizations such as the International Crisis Group and the Small Arms Survey.

¹⁶ For example, see Hutt 2004; Karki and Seddon 2003; Thapa 2003; Thapa and Sijapati 2003.

¹⁷ The idea of the “Maoist heartland” is itself contestable, as even Maoist leadership would agree (author interviews 2008-2009).

focuses on the specific, time-bound, experiences of violence in Nepal (2007-2009) based on fieldwork completed during that timeframe. As such, it does not specifically elaborate on violence experienced in various communities prior to 2007 or after 2009. In addition to the fieldwork-driven focus of this study, limited financial resources impacted on my ability to conduct research over a longer period of time. Second, this study takes as its unit of analysis the central-eastern tarai region, for the reasons outlined above, and does not include an in-depth discussion on the experiences of violence in other districts or regions of Nepal.

Yet, the approach of this study is generalizeable, to a certain degree, to other postconflict settings. For example, a main contribution of this study is the explanation that factors which are exogenous to the original conflict have helped to produce continued violence in the post-peace agreement period in Nepal. While the prospect of ethnofederalism is one driving force behind the mobilization of non-state armed groups in the central-eastern tarai region of Nepal, exogenous factors in other intrastate conflicts around the world should be examined to explain continued violence in their respective “postconflict periods”. Furthermore, building on Bakke et. al (2012), non-state armed groups are not monolithic; it is hoped that utilizing a case study approach to understanding NSAGs in the ‘postconflict’ period in Nepal will help to build analyses which compare and contrast such phenomena in other places around the globe.

Organization of the Thesis

This thesis totals ten chapters. Following this introductory chapter, chapter two outlines the methodological approach to gathering the original data upon which this thesis is based. Simply put, this thesis studies violence by speaking with those who do, and experience, violence. It outlines the choices I made as a researcher within an inevitably complex web of socio-political

relations. It describes my experiences of doing research on violence and in spaces of violent conflict. Finally, it argues for a new approach to gathering data from focus groups discussions.

Chapter three provides an historical overview of the political formation of Nepal. It demonstrates the various ways in which ethnic identities and ideas of nationhood were drawn (and re-drawn) through these processes. This chapter is intended to ground an understanding of the historical political context within which claims to rights, development, and self-governance are being made.

Chapter four builds on the historical information presented in chapter three. This chapter locates the tarai, and specifically the central-eastern tarai, in the broader socio-political history of Nepal and introduces the reader to the lives of “borderlanders”. It presents a story of identity-making in the central-eastern tarai and illuminates the history and process of nation-building central to understanding the experiences of people living at the margins of geography, politics, and imagination. Together with chapter three, this chapter grounds understandings of the “everyday life of violence” presented in later chapters.

Chapter five outlines the border as unit of analysis. Not only is the borderland of the central-eastern tarai the site of violence, the region itself is a zone of transition between Nepal and India, impacting on what it means to belong to the “Nepali nation”. This chapter contextualizes the ways in which the borderland space of the central-eastern tarai has been constructed in Nepal. It further explores the relationship between borders and belonging. The narrative of belonging figures prominently not only in the rhetoric of non-state armed groups, but in the collective memory and experience of the broader “Madheshi” population. This chapter presents a

framework for understanding of the role that these concepts play in the persistence of violent conflict in the post-CPA environment in the central-eastern tarai.

Chapter six presents the concept of ethnofederalism as an explanatory factor for the politicization of ethnicity and inequality in the central-eastern tarai region. The chapter further outlines the concepts of collective action and framing to discuss mobilization of specific rhetoric in the pursuit of “ek Madhesh, ek Pradesh”. Changes in political opportunities and institutions created an environment for activists to mobilize around specific issues. Furthermore, the chapter forwards the notion that NSAG use of rhetorical templates and strategies were made available by the Maoists and other national level political parties. The chapter further presents a discussion of ethnicity and proposes the “ethnicity as relational” theory to examine the use of ethnicity as a frame for action around ethnofederalist activism. Because this thesis examines perceptions, examining frames used by NSAGs offers an analytical window to explore how those frames are interpreted and perceived by local level civilians.

Chapter seven presents a detailed examination of the lived experiences of local civilians amidst the violence of “postconflict” and challenges the notion of “postconflict peace” in the central-eastern tarai. The chapter examines secondary data on security incidents in the postconflict period in the central-eastern tarai, including abductions, murders, and IED explosions. While data has been collected on violent incidents in the postconflict period, perceptions of violence by those who experience it has received less attention. As such, this chapter presents original ethnographic data that examines the ways in which social relationships are being reconfigured in the postconflict period. The chapter discusses immediate and long-term impacts of the violence

surrounding the Madhesh Andolan. It explores narratives around the changes to residents' everyday habits and outlooks and discusses civilian concerns around security.

Chapter eight presents original ethnographic data on a heretofore unexamined group of actors in Nepal through an examination of the emergence of non-state armed groups in Nepal's central-eastern tarai after the signing of the Comprehensive Peace Agreement. The ethnographic material presented offers participant perspectives on mobilization, recruitment, training, and activities as they were occurring, in contrast to studies of violent conflict that examine NSAG participation after conflict has ended. It explores the role of rhetoric in identity-building and recruitment and explores the ways in which members of Nepal's non-state armed groups understand their participation. Moreover, it examines how certain social actors developed a sense of collective identity and participated in NSAGs.

Chapter nine offers civilian "counterframes" which explain their perspectives on why violent conflict took on certain trajectories in the central-eastern tarai between 2007 and 2009. The chapter offers original ethnographic data on questions of perception and underscores the heterogeneity of postconflict experience; civilian narratives demonstrate that while NSAG frames resonated with some individuals, others fervently opposed them. Narratives explore counterframes such as political context, elite manipulation open border, rent-seeking and corruption/law and order to critically analyze their postconflict environment and make sense of continued local violence in the post-CPA years.

Chapter ten provides concluding remarks. It also demonstrates that, beyond its limited focus on Nepal, the research presented here has wider significance in its contribution to analyses of conflict and postconflict. It weaves together the empirical data and policy implications of the preceding chapters and suggests avenues for further research based on the analysis developed herein.

CHAPTER TWO

Research Setting and Methodology

The purpose of this study is to examine why violent conflict persisted in the central-eastern tarai after the signing of the Comprehensive Peace Agreement, and how local people there have experienced and interpreted such violence. This project therefore places individuals at the center of the research project and at the center of data collection, utilizing interviews as the primary research material (Bjornehed 2013). Because this project aims to understand the perceptions of local level actors, both NSAGs and civilians, the interview method selected for this study is best suited to understanding micro-level constructions of why and how violence persisted after the signing of the CPA.

I carried out research in Nepal from October 2008 to October 2009¹⁸ and, during the course of fieldwork, I conducted semi-structured interviews with nearly 300 individuals including current and former non-state combatants, local civilians, representatives of development and peacebuilding organizations (both national and international), representatives of the Government of Nepal, journalists, and academics. Also informing this research were dozens of informal conversations and ethnographic observations.

The changing political situation in Nepal played a critical role in my fieldwork experience and the resulting data that was collected. While original research plans included extensive interviews with Maoist PLA in cantonments, the political environment did not allow for it. In many ways,

¹⁸In addition to this research I began traveling to, and researching in, Nepal in 2003. I lived and worked in Kathmandu from May 2003-August 2003 and returned in June 2006 for three and a half months of graduate research.

this research process was an organic one and relied heavily on an inductive approach rather than hypothesis testing. As a response to the political constraints on access to various PLA cantonments, I was able to spend more time in spaces that provoked difficult questions and raised a number of concerns in light of the “postconflict” period I continued to hear about.

Timeframe

This thesis focuses on the years 2007 to 2009, years corresponding to the immediate signing of the Comprehensive Peace Agreement and the resulting (and, at the time of writing, ongoing) “transition”. While conflict is fluid and dynamic, as the remainder of this work will argue, this thesis cannot appropriately cover the years preceding the CPA nor does it include the years beyond 2010. The reason for this limitation is the use of fieldwork data to inform my argument; data comes primarily from semi-structured structured and informal interviews, focus group discussions, and ethnographic observations. Such data captures a year-long period of perceptions; compared to other studies, such as the Small Arms Survey (2011) which gathered data over a three week period in 2010, this study allows for a greater range of interpretations and perspectives while events changed over the course of a year.



Figure 1: Map of Nepal

Source: United Nations Department of Peacekeeping Operation

Why the Central-Eastern Tarai?

During my fieldwork period, over 120 recognized armed groups were active in the country (SAS 2011; author interviews 2008-2009); more than 70 of those armed groups were to be found in the tarai. Ongoing violence continued in the region, where kidnappings, murders, and bombings took place on a daily basis. According to the International Crisis Group, “there is huge regional and local variation in the types of insecurity [found in Nepal]. Armed group and mafia violence, for example, is rampant in the eastern and central tarai; it has seen the worst post-ceasefire violence and continues to witness more killings, extortion cases and abductions for ransom than any other region” (2010a: 13).

The eastern and western tarai¹⁹, too, were home to armed groups; however, by comparison armed groups in the central-eastern tarai were larger in number, less unified, and had a greater diversification of members, groups, and goals. While this thesis does not argue that ethnic identity is the sole determining factor in joining an armed group, ethnic identity did play a part in the organization of many armed groups in the country's Maoist war and "postconflict" period (author interviews 2008-2009; de Sales 2007; Lecomte-Tilouine 2009a, 2009b). For example, within the western tarai, the Tharu comprise the dominant ethnic minority and non-state armed actors were able to unify under the leadership of the Tharuhat Army. By comparison, in the east, different armed groups claimed to speak for different ethnic minorities, for example, Madheshis, Limbuwan, and Khumbuwan each had a variety of armed groups representing their interests. What is important to remember, and what chapter six will explain in greater detail, is that organization along ethnic lines (for recruiting, propaganda, and fighting purposes) was a very important tactic for the Maoist Party. What makes the geographic and conceptual space of "Madhesh" so interesting is that there does not exist a clear definition of "Madheshi"²⁰, despite the fact that there are prominent numbers of people fighting for "Madheshi rights" within non-state armed groups in the tarai.

Second, this thesis focuses on the central-eastern tarai because of the aforementioned lack of policy attention as well as academic attention to the region. Despite the importance of the eastern tarai, only some anthropological²¹ work on specific ethnic groups and a limited number of

¹⁹ Prominent armed groups in the western tarai, for example, included the Tharuhat Army; in the east, the Limbuwan and Khumbhuwan movements represent ethnic-based armed groups.

²⁰ For example, in spring 2009 the Government of Nepal created a classification system that included Tharus in the category of "Madheshi" (author review of articles 2009).

²¹ A majority of anthropological work on the terai focuses on the Tharu ethnic group. See for example, Guneratne 1996, 1998, 2002; Krauskopff 1995, 2007; McDonaugh 1997.

current affairs analyses²² have focused on this region. Additionally, I pay attention to the situation in central-eastern Nepal insofar as it can help better contextualize national and international perspectives on local violence in the area. As Severine Autessere (2006, 2010) notes in her work on the Congo, for several years after the peace agreement there existed a situation of local violence and rising political and ethnic tensions, yet international peacebuilders overlooked these conflicts. In 2008, the Office for the High Commission on Human Rights (OHCHR) established an office in the city of Janakpur but it did little to convince local people of their interest in assisting them (author interviews 2008-2009).

Research Approach

Because this project privileges the concept of fluid boundaries, this research was necessarily multi-sited. While in Nepal I alternated living and working between Kathmandu and Janakpur. I also traveled widely during my fieldwork period and visited over 25 sites from Jhapa in the east to Banke in the west, and from Mustang in the north to Birganj in the south. In addition, I traveled to two Indian border towns in an attempt to better understand what crossing the border meant in that place and time. During my fieldwork I conducted interviews in a variety of cantonments, towns and villages, as well as in offices, homes, and tea shops.

²² For example, Prashant Jha wrote a weekly column for the Nepali Times called “Plain Speaking” from 2007 to 2011.



Photo 1: Village home with traditional Mithila painting

Source: Author

Previous work and travel in Nepal offered the opportunity to gain more extensive knowledge about the political, economic, social, and cultural diversity across the country. In addition to helping shape my Nepali language skills, the roughly six and a half months that I had spent during two prior research trips offered me some credibility with interview participants when discussing politics, history, economics, or culture in the country. For example, much less time was spent in interviews discussing basic historical or political events and more time was spent in a dialogue about the research themes. Furthermore, previous work in-country helped me to develop a network of local contacts which proved important not only because of their range of different networks, skills, and abilities, but also because of the time saved in fieldwork planning

and preparation²³. This was important in many regards but was most helpful in places outside of Kathmandu, especially in cantonments and in tarai towns and villages.

In regards to access, I relied on a variety of different contact persons to help set up meetings and schedule interviews. Those individuals varied depending on the category of person I wanted to interview. For example, when setting up interviews with leaders of central-eastern tarai based non-state armed groups I relied on local journalists for contact. This was a deliberate choice based on the knowledge that NSAG leaders respected local journalists above most other categories of public persons for two reasons: (1) they were not perceived as tied to any political party and (2) they offered coverage of the NSAGs in local papers where national level newspaper coverage was perceived as being biased against them (author interviews 2008-2009). When contacting members and new recruits of central-eastern tarai based non-state armed groups I relied on a variety of local NGO workers. Having long worked in the community, these local NGO workers knew many NSAG members. For example, different local NGO workers had contact with different groups of young men²⁴ through projects in which they were engaged, such as building a school or working on income-generation programs. In some instances, NSAG leaders selected the individuals with whom I could speak. Where this was the case, it must be recognized that those members might have been selected based on their ideological orientation. In other words, the members with whom I spoke could have been selected because leaders perceived that they would not discuss sensitive topics nor would they offer negative commentary on the group or their activities.

²³ Emma Bjornehed (2013) makes a similar observation.

²⁴ The NSAG members that I interviewed were all men; on only one occasion did I hear of a female NSAG member in the central-eastern tarai.

When contacting civilians, I again turned to NGO workers and other local individuals (i.e. academics), but I also sampled randomly from the community. For example, I would often meet with individuals whilst in tea shops and ask them if they wouldn't mind engaging in a dialogue with me about my research topic. This random sampling of civilians was designed to limit sampling bias. Because I had no way of knowing the preconceptions, political preferences, or values and ideals of individuals randomly selected by me in various spaces (both in urban and rural spaces as well as public ones), I was able to limit the risk of sampling a population that already shared those notions with the NGO worker or academic that suggested an interview. While this approach was intended to limit sampling bias, it did not altogether eliminate it. Those individuals in public spaces, such as tea shops, were often men, though they did not all share the same class or caste. I further attempted to limit sampling bias in NSAG interviews as well. Where NSAG members were concerned, I strove to interview a roughly equal number of leaders and members from different groups. In doing so, I aimed to minimize overrepresentation of one group's narrative over another (Bjornehed 2013).

Finally, the snowball method was integral to this research. There were two ways in which I employed the snowball method; first, I would ask my contact persons for the names of individuals with whom I could set up interviews. For example, local NGO workers or journalists would provide the names of public persons with whom I wanted to speak: other journalists, politicians, police officers, administrative personnel, etc. Second, I was also able to obtain the names of other individuals at the end of interviews. In these instances, I would ask for specific recommendations of individuals with whom I could speak. In some cases, the individual whom I was interviewing would feel more comfortable setting up an interview for me. This happened

more frequently with members of non-state armed groups. For example, one NSAG member would contact other members to meet with me in a specific location. The snowball technique inevitably expanded the list of individuals whom I interviewed.

Fieldsites

In order to understand the local dynamics of postconflict in the central-eastern tarai, I conducted fieldwork primarily out of the towns of Janakpur, Rajbiraj, and Biratnagar with trips to all districts between Jhapa and Nawalparasi spread throughout the year.

Janakpur is a major urban center in the tarai and the site of travelers and pilgrims from across the country as well as across the border²⁵. Janakpur, is also the site of the mythical city of Mithila and therefore spiritually and symbolically powerful²⁶. I chose Janakpur as a research site and fieldwork “home” for two reasons. First, I was interested in accessing NSAGs in the central-eastern tarai region. The level of non-state armed group activity in Janakpur during my fieldwork period was moderate to high²⁷ as compared to other districts. This allowed me to gather information on both the NSAGs that proliferated in the district as well as observe and interact with the local civilians living in this environment. Second, Janakpur was situated at a historical, spiritual, and geographically accessible crossroads²⁸. Accessing transportation to other districts

²⁵ Janakpur is also the origin of the only railroad system in the country; it connects to a few small villages close to the border and to larger stations in India where travelers can access trains to places like Calcutta and Patna.

²⁶ For more on this, see Burghardt 1976, 1978, 1996.

²⁷ Based on my own tracking of news and current events; for more, see OCHA monthly situation reports for the time period (2007-2009) and the INSEC Human Rights Yearbook for the corresponding years (2007-2009).

²⁸ Travel by road to and from tarai towns is arduous. Added to the length of the journey is the prevalence of *bandhas*, strikes called to block the road by local men and women. In some instances this hampered my ability to reach a broader range of towns and villages, decreased the length of my stay, or dictated where I would be conducting interviews. For example, in February 2008 *Tharu* protesters called for a two-week *bandha* on the East-West Highway, the only road into and out of Kathmandu from the tarai. My research assistant and I were stuck on

was comparatively easier than establishing a base in Siraha²⁹. Similarly, while Biratnagar is the largest city in the tarai, it was too distant from the more central tarai districts. Janakpur, while it allowed for easy transportation, also served as a symbol of Mithila culture, something both powerful and contested in the tarai.



Photo 2: Janaki Mandir

Source: Author

Within central-eastern tarai districts, I visited both urban and rural spaces. The choice of these field sites was dictated by the fact that the leaders and members of central-eastern based non-state armed groups were located in these towns. In regards to civilians, the choice of locations

our way out of Janakpur, on the side of the road in a parked bus for 24 hours in the district of Chitwan where we decided it would be better to stay and work.

²⁹Siraha district, at the time, had the highest rate of what was termed “criminal activity” by government officials (author interviews 2008-2009).

was dependent upon where non-state armed groups were active since the aim of the study includes an understanding of civilian experiences with, and perceptions of, violence and violent conflict. Therefore, civilian interviews were based in areas where such violence occurred and where local recruits were living (both urban and rural spaces). Additionally, interviews with local civilians in other tarai towns, such as Biratnagar, about their perception of central-eastern tarai based non-state armed groups were conducted as a way of contrasting information and perspectives of those civilians who were enmeshed in local-level violence in rural communities of Dhanusha district, for example.

I also conducted interviews with national-level politicians in urban spaces like Kathmandu and Biratnagar. The location of these interviews was based simply on the fact that this is where those individuals lived.

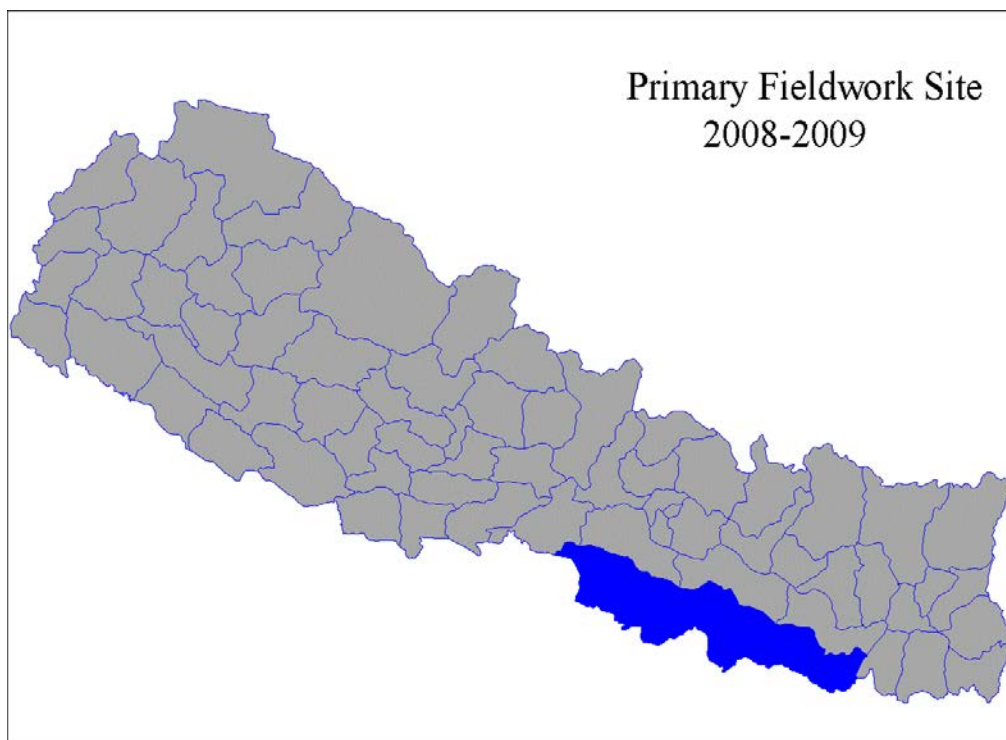


Figure 2: Map of Primary Fieldwork Sites 2008-2009

Source: Author

I also conducted interviews with Maoist PLA in cantonments across the country. Because of the difficulty of accessing the cantonments (discussed in more detail below), I did not choose to limit my interviews to one site; rather, I visited multiple cantonments between Rolpa and Jhapa. This choice primarily served the purpose of conducting more interviews by choosing different camps.

Research Methods

This project employed a variety of qualitative research methods that included ethnographic observation, oral life history narratives, in-depth semi-structured interviews³⁰, and focus group discussions³¹ with a range of actors. Additionally, I completed document analysis of policy briefs, newspaper articles, and development organization reports. I collected data from selected development agencies with the intention of analyzing the construction of conflict and “postconflict” programs and their implementation, as well as the conceptualization of armed groups in Nepal. This data was then analyzed against the experience of those living conflict/postconflict, which included both armed group members and local civilians as collected through the aforementioned ethnographic methodology.

³⁰ I utilize the concept of semi-structured interviews to loosely mean dialogues interspersed with cue-questions/discussion questions if needed for clarity. I was not interested in imposing a set of pre-conceived questions that prompted particular answers but rather wished to encourage respondents to frame their own narratives in a fashion that is meaningful to them. As Barakat et al. note, “rigid semi-structured questionnaires/interviews may appear threatening and thus prove an inappropriate means of soliciting data” (2002).

³¹ Focus group discussions allow the researcher to observe relationships and patterns of interaction amongst members. This is perhaps one way of ‘validating’ information provided by individual interpreters. Further, FGD may generate new questions and contribute to an ‘evolving understanding’ of the context. Moreover, group interactions may spur new articulations of memories (for more on focus group discussions see Errante 2003; Wilkinson 2003). However, a disadvantage of FGDs are power imbalances. The researcher must be aware of those dynamics. Focus group discussions are discussed in more detail below.

The case study methodology has its own set of limitations. One drawback to a qualitative case study approach is that it does not draw on a wide range of cases to establish an emerging pattern which could be used for theory building. Case studies can do more than generate theoretical ideas; they can test theoretical propositions, and they can offer persuasive causal explanations (Steinmo 2008: 139). Such an approach offers contextual comparison and provides a basis for other quantitative studies. The qualitative methods chosen for this study are uniquely positioned to yield data that best answers the research question; that is, what are the (subjective) perceptions of local individuals regarding the reasons why violence persisted after the signing of the Comprehensive Peace Agreement.

Furthermore, as Emma Bjornehed (2013) notes, the interview method is both time and labor intensive, resulting in the number of respondents being too low to be statistically representative (68). However, because the project aims to understand local *perceptions* of why violent conflict persisted after the signing of the CPA, including those of conflict perpetrators and victims, this project is driven by interviews with selected categories of people based on their location within a particular grouping (i.e. NSAG member, civilian, politician, etc). This project, therefore, is not designed around quantitative analysis but, rather, qualitative methods and analysis. This approach yields more in-depth information in the form of individual reflection and expression. Such a choice reflects the nature of the research question and design; numerical representation and hypothesis testing is not the purpose of this thesis.

The project, instead, emphasizes “narrativity”, a concept that foregrounds subaltern’s voices,³² opens up space for individuals to interpret the events around them, and their relation to those events, within an acknowledged matrix of cultural opportunities and constraints³³. Narrativity thus renders *understanding* “by connecting *parts* to a constructed configuration or a *social network*” (Somers 1997, italics in original in Leichty 2002: 24). It allows for an articulation of various methods of meaning-making and centrally locates experience and self-reflection. The collection and analysis of multiple narratives provides alternative versions of (conflict) history³⁴. Further, in telling oral histories individuals are not only tracing the past but they are constructing the spaces they occupy in the present and in the future (Errante 2003). Moreover, narrativity demonstrates the heterogeneity of subaltern constructions of self. It seeks to answer: from what subject position is the interpreter speaking, what stories are being told, what spaces of agency can be located in the constructions and stories (Chaudhry 2004). A narrative approach allows the researcher to better understand interpretations, understandings, and perceptions of respondents. As such, this research also uses discourse analysis³⁵. Analyzing discourse reveals trends in speech, demonstrates how the world is interpreted, and reveals the ways in which strategies of communication may change in a conflict setting.³⁶

However, narrativity is not without its limitations. Including one story might imply the occlusion of other stories; by tracing one story a researcher may erase or negate others. As Bjornehed

³² See Spivak 1988.

³³ Further, “narrativity” opens spaces for recognizing that meaning lies in the silences and contradictions in a life story as much as in what is said.

³⁴ Most conflict histories focus on male elites’ participation.

³⁵ I must recognize here that discourse analysis, or any tool used to analyze narratives, reduces the voice of the interpreter and instead amplifies the voice of the researcher through explicit choices to include or exclude passages, analyze and mold information to fit the scope and theoretical frameworks of the project, etc.

³⁶ However, it is also necessary to acknowledge the potential for language to shape and limit individuals’ identities.

(2013) duly notes, objections against a narrative approach include arguments regarding subjectivity. The narrative approach, however, was chosen precisely because of such subjectivity; it is the perceptions of respondents that drive the research forward, not a search for an objective “Truth”.

Moreover, narrators might be constructing certain stories for political or personal purposes. A common critique leveled at the narrative method is the wide berth for deception. While this is certainly a concern in any study, since it potentially yields untrustworthy data, distortion of facts and events is also potentially part of the story that conflict actors and victims tell. Again, respondents were not selected based on their qualities for providing objective information; rather, interviews allowed for a respondent’s subjective interpretation of events and processes (Bjornehed 2013: 70).

Two examples of deception in this study stand out: first, NSAG leaders often claimed higher membership numbers than they likely had. Second, leaders and members rarely discussed criminal activities, claiming instead to be ‘politically motivated’. Rather than hunt down the “real” numbers of group members (which fluctuated on a daily basis) or judge whether a group was purely political or purely criminal, this study recognizes, instead, the inherent fluidity of non-state armed groups in the central-eastern tarai. In other words, the objective of the project was not to determine the “Truth” of armed group membership but rather to uncover the ways in which such membership was constructed, communicated, experienced, and interpreted.

Other ways in which deception or distortion on the part of non-state armed groups was uncovered was through comparison to civilian narratives. For example, claims by non-state armed groups of universal support for the group's cause was often found to be exaggerated when interviewing civilian members of the community, as will be discussed in chapter nine. Moreover, comparison between NSAG and civilian narratives allowed space to analyze the heterogeneity of Madheshi identity against constructions of homogenous ethnonyms and claims to ethnic spaces (i.e. 'ek Madhesh, ek Pradesh'³⁷). As a result, the act of NSAGs exaggerating support for their cause revealed that the process of constructing ethnic spaces, through physical violence, produced a different kind of tension and violence within the community: that of a forced homogenous, hermetically sealed identity. This process, in and of itself, is a rich site for analysis.

Civilians, too, had the propensity to exaggerate. As Severine Autessere (2006) points out, social scientists working on violence have a difficult task in evaluating the reliability of reports of abuses by the victims, perpetrators, and witnesses interviewed. "How could I be sure that the stories I was told to me were not understated, exaggerated, or invented?" (Autessere 2006: 36). Like Autessere, I decided to treat as unconfirmed information all stories that I had ground to question, typically because the interviewee had an interest in having me believe a specific story, for example to undermine his or her enemy (Autessere 2006: 36). I considered stories as confirmed information when heard more than three times, provided they fit within the overall knowledge I had of violence in Nepal (Autessere 2006: 36). This broader knowledge was based on several reliable sources: situation reports published by organizations such as INSEC, ICG, and OCHA and confidential information given by local journalists. I also treated as confirmation

³⁷ Literally, 'one Madhesh, one province'. This has been the rallying cry of Madhesh-based NSAGs and other Madheshi activists in the debate around an ethnofederal system in Nepal.

three separate and unrelated reports of any incident. For example, civilian reports of abuses by non-state armed groups varied; in some instances kidnapping events or extortion were reported to local authorities or published in INSEC reports but other instances were not. Rape is one such example of non-reporting and, in certain instances, I was privy to information about rape or attempted rape solicited by several different sources.

Where non-state armed groups were concerned, in many cases I was also able to cross-check event information that they provided against newspaper articles and/or news channel broadcasts. For example, meetings between NSAG leaders and state representatives were reported by local media, as were dissolutions and/or convergence of different groups.

Interviews³⁸

Individuals were selected through a process of dynamic sampling identified through a variety of sampling sources and “key informants.”³⁹ Interviews were conducted with non-state armed groups; representatives of the Government of Nepal; political party representatives; community members; community leaders; Village Development Committee (VDC) representatives; UN representatives and representatives of various international and national peacebuilding and development organizations. In total, I conducted semi-structured interviews with 147 people. Three types of people were selected for interview: (1) members of non-state armed groups (both

³⁸ This research was conducted in full accordance with the ethical procedures set out by the ESRC and SOAS. Particularly because of the political climate in Nepal, participants’ anonymity has been protected by altering or omitting names, personal information, and specific locations where necessary or requested. During fieldwork field notes were coded in notebooks and padlocked in a secure location. When traveling fresh notebooks were used to avoid the loss or confiscation of sensitive material that may have put respondents at risk. When entered electronically, all data was stored in a password-protected laptop. Finally, during fieldwork I never used the information I gained from one group and passed it on to another.

³⁹ Gatekeepers play a crucial role in allowing access to groups and individuals. It is important to be cognizant of who has the power and who perceives that they have the power to grant access (Hammersely and Atkinson 1983 in Barakat et al. 2002).

central-eastern tarai based NSAGs and Maoists); (2) local people living in central-eastern tarai districts; and (3) “peacebuilders” (both international and national). I conducted semi-structured interviews with 69 non-state armed actors; respondents in this category included leaders, mid-ranking staff, and rank and file of NSAGs (Maoist, PLA, other armed groups). I conducted interviews with 37 civilians; these were teachers, businessmen, the unemployed, tea wallahs, shop owners, mothers, and activists. I also conducted interviews with 41 peacebuilders. This group included UN staff and staff of international and national organizations who worked on peacebuilding projects around the country.

I conducted all of my interviews in person with my research assistant present. I also conducted 12 focus group discussions (discussed below). With the exception of four focus groups, I did not record any of my interviews⁴⁰. I also complemented these interviews with innumerable informal conversations throughout the fieldwork period and attended a variety of workshops, lectures, and events associated with the Nepalese war-to-peace transition.

In most instances, members of non-state armed groups preferred to be in public spaces with other cadre nearby; interviews would therefore take place in a restaurant or tea shop. In one instance, however, I met a local leader in his group’s camp. What was interesting about the camp was that it was situated quite near to a police checkpoint. During the interview the individual had disclosed that 500 people had resided there; however, during our interview the camp was empty, save for a few people. He explained that each of the members could be found doing “fieldwork” for the upcoming by-election in the district. I met this individual on two other occasions before

⁴⁰ Recordings were transcribed later that night and then destroyed.

he would be killed; once in a tea shop in his village and once in the backroom of a gas station where he was hiding out.

On four occasions I traveled to villages to meet with members of NSAGs. One of those visits was to interview an NSAG member in hiding and another was to a busy festival where I was able to interview several NSAG members in the back of a small store. All other interviews with NSAG members in villages took place in tea shops. All interviews with NSAG members were face to face, though on several occasions individuals would call to provide us with updated information and current events. In this way, we often knew certain facts before they were reported in the news⁴¹.

Interview Environment

Many of the individuals with whom I spoke generously gave me their time and offered their thoughtful reflections. Many people went out of their way to assist me with my research and most people offered to meet with me again for additional interviews if necessary. However, I was not without obstacles. As discussed below, I did face difficulties in meeting with Maoist combatants and some leaders of non-state armed groups⁴². Accessing the cantonments had proved difficult for the duration of my fieldwork but it came to a complete halt in May 2009 when an undiplomatic video of former PLA Supreme Commander and, at the time Prime Minister, Prachanda surfaced⁴³. At that point, no non-PLA individuals or groups were allowed

⁴¹ An example of this would be the merging of two NSAGs and the resulting leadership change.

⁴² Most prominently, I was able to contact Jai Krishna Goit in India but he declined an interview on the grounds that I could not identify myself as either a journalist or a human rights activist.

⁴³ The video showed Prachanda describing how he had misled UNMIN monitors when they undertook registering more combatants than the PLA had actually had at the time, inflating their presumed strength. He further claims that PLA soldiers would “dominate” other soldiers once integrated into the Nepal Army (Republica 2009).

access to the cantonments. In May 2009 I had a meeting with Pasang (the Supreme Commander of the PLA at the time) who indicated to me that I would no longer be able to speak with PLA either inside or outside of cantonments.

Additional circumstances affected my data collection as well. Being a white, middle-class, American woman in the Nepalese tarai brings forth a host of issues. In many instances people assumed that I worked for an NGO or for the UN upon first seeing me and were quite surprised when they learned that I was not employed by an international agency. While working for an NGO may have generated possible benefits, for example, allowing for the additional experience of observing how international staff interact with the project of peacebuilding on a daily basis, I decided against joining INGOs during my research period⁴⁴. More importantly, international organizations were only one part of the research; interviews with non-state armed actors comprised the bulk of the project⁴⁵.

I also undertook several interviews with ranking police officers in various tarai towns (Janakpur, Siraha, Rajbiraj, and Biratnagar). Initial meetings proved cordial but superficial; the officers with whom I spoke were not immediately interested in discussing political issues. However, when it became known⁴⁶ that I was present at local student elections where several local journalists and bystanders were badly beaten by police, higher-ranking officers were able to provide me more of

⁴⁴ My concerns during the fieldwork period were two part: (1) I did not want any work from NGO duties to take away from my research opportunities (in other words, I did not want to restrict where I could go and with whom I could speak), and (2) I did not want to influence the behavior of respondents should they perceive a benefit from talking to a staff member of an organization.

⁴⁵ It is unclear whether I would have had greater or less success as staff of an international organization. In some cases, for example, in attempting to meet with Goit it would be been to my benefit, as he explained to me that he would only meet with journalists or human rights activists.

⁴⁶ I did not disclose this information, rather, the officer that I had previously interviewed saw me standing in the crowd.

their time. In a similar situation, I unintentionally witnessed a high-ranking official conducting an interrogation on a local man whereby he was repeatedly striking the man with a heavy baton. The beatings continued as I walked outside where I could not only hear the cries of the man but the thud of the baton on his flesh. I interpreted the offer of additional interview time as a type of guilty apology. However, I decreased my trips to the station for interviews shortly after that incident and after I became aware that I had been monitored whilst in the town.⁴⁷

Interview Structure

The interview structure and approach adopted in this project was dictated by the subject of study. Specifically, I chose to pursue a semi-structured interview format rather than a survey or structured interview format. As each approach has its own virtues and limitations, the decision to select a semi-structured approach was made because of the type of research question posed, the type of data I was interesting in collecting, and the variety of individuals I was interested in interviewing (Bjornehed 2013: 76). While a more structured survey-type interview format might yield data that is better suited to large-scale comparison, a semi-structured interview format offers the opportunity for more meaningful analysis in regards to the research question posed.

Moreover, “[a] more unstructured approach to interviewing can also work to limit the other aspect of subjectivity, namely that of the researcher...a more unstructured approach allows for narratives originating from free associations by the respondent and not only from the questions formulated from the pre-supposition theory and pre-conceptualizations of the researcher” (Bjornehed 2013: 71). Additionally, a more unstructured interview approach allows respondents

⁴⁷ This was not disclosed to me. I became aware when local police officers insisted on giving me a ride home one evening and drove directly to my flat without asking for directions. I had consciously never made it a point to tell anyone where I lived.

to introduce other relevant topics that might not have originally been incorporated into the interview script (Bjornehed 2013: 71). Questions posed to the respondent that are narrow in focus and directed towards a particular answer (i.e. “yes” or “no” questions), have the potential to close off respondents, both in terms of their comfort and in terms of their ability to offer personal and meaningful reflections. On the contrary, more open-ended questions allow respondents broader range for making sense of their own experiences that might not fit as neatly into a “yes” or “no” typology.

The interview approach of this study, therefore, relied on a group of central themes rather than a strict interview protocol. Themes overlapped, in some cases, between respondent categories but question themes largely depended on which type of respondent was being interviewed. For example, asking about Madheshi identity and opinions about “ek Madhesh, ek pradhesh” were common questions posed to all interviewees, NSAG leaders/members and civilians alike. However, differences in questions arose when discussing recruitment and participation of non-state armed group members, for example. While questions to civilians on the recruitment topic tended to be broad, questions for NSAG leaders and members probed for greater detail allowing for more room to elaborate on their experiences. For example, regarding NSAG recruitment and participation questions, I would ask civilians the following question: “in your opinion, why might individuals want to join a non-state armed group? How are they recruited?” For NSAG members, I might ask the same question but probe for detail in follow up questions. For example, I asked members the following: “could you describe your own recruitment experience and what it means to you to be part of a non-state armed group?” Follow up questions naturally followed central theme questions. They served three purposes: confirming my understanding of what the

respondent had said, creating a dialogue feel to our conversation, and probing for further details and reflections.

Focus Group Discussion Methods⁴⁸

During the course of this research I conducted 12 “focus group discussions”. Focus group discussions (FGD) have become a common method used to generate large amounts of data by interviewing several people at once. However, focus group *discussions* are at times confused and conflated with group *interviews* (Jakobsen forthcoming). Hilde Jakobsen describes,

In group interviews, one-to-one interactions between the researcher and interviewee are simply replicated on a group scale (Parker & Titter, 2006; Wilkinson, 2006; Kitzinger, 1999; Morgan, 1997). The researcher asks questions, and participants answer the researcher, and thus the main interaction is between the researcher and the participants. In focus groups, the researcher is not seeking answers so much as participant interaction, and asks questions to start discussions where the participants converse among themselves, questioning, challenging and answering one another and sometimes the researcher” (forthcoming).

I had chosen the FGD method for a particular purpose: to observe how people discuss their lives amidst “postconflict”. By their interactive nature, FGDs are seen as a method uniquely suited to elicit information on ‘public discourses’ (Jakobsen forthcoming). During my “traditional” FGDs I was able to observe the convenience of the method but I could not help but feel like the exercise was failing to engage individuals and elicit deeper information. Jakobsen echoes in Tanzania the situation I was simultaneously experiencing in Nepal: “the encounter resembled more of a formal panel interview than a group discussion. There seemed to be an understanding among respondents that any differences of opinion should be taken outside: this was the place to present a united, cooperative, orderly and respectable front” (Jakobsen forthcoming). In this

⁴⁸ I wish to thank Hilde Jakobsen for inspiring this section.

“panel” approach, there exists some bias in favor of a ‘majority opinion’ as perceived by participants (Smithson 2000). While conducting “traditional” FGDs with participants I found a very similar pattern: each person in the group would take their turn “answering” my question, always looking specifically at me and hardly ever interacting with their group-mates. In this way, the participants’ attention was focused on me (who was I, how could they relate to me?); instead, I wanted to understand how these co-participants related to the discussion topic. In order to do so, I experimented with response formats inspired by researcher Hilde Jakobsen. For Jakobsen, and for me,

The reason I was using focus groups...was to generate data not on internal individual ‘real’ opinions, but on *socially shared* opinions. I wanted to see what types of values and ideas people voiced in speaking to one another. Thus the reason I adjusted the method was to generate data on attitudes and opinions as socially performed, not as individually pre-formed (Puchta and Potter, 2004), and as performed to one another, and not to me. The issue therefore is not whether or not the...exercises were performances or ‘genuine’, but rather who the participants were performing for: who their audience was” (Jakobsen forthcoming).

For this research, “I wanted to know not about individuals’ private attitudes and opinions, but rather the ones they felt it appropriate to voice in a group context...I imagined that whilst interviews might give me only what people say to me, FGDs would give me data on what people say to one another” (Jakobsen forthcoming). Moreover, as participants challenge one another on the views voiced, groups can offer data on forms of consensus and diversity (Morgan 1993 in Jakobsen forthcoming).

I conducted four “alternative” FGDs during my fieldwork. Whereas “traditional” FGDs operated as “panels”, the FGDs that I conducted in the second half of my fieldwork were arranged so that participants would be given a discussion question or topic. When participants were ready to

begin discussing I would exit the room and they would begin recording their conversation. Participants were encouraged to discuss whatever they felt to be relevant to the topic rather than focusing solely on a series of specific questions. In some instances, participants were unsure if they were “correctly” answering my question. In these moments they would pause the recording and ask me if they had “the right answer”. In other instances participants typically responded to me and not to their participants. For example:

K: What is the relationship between peace and development?

1: There is a kind of feeling whether the foreigners are acting for their own interest—are they encouraging [violence] by providing the weapons? This kind of mixed feeling always arises in Madheshi people’s minds. Therefore, whichever foreigners come, like you have come for your research, it is now running in our mind from the very beginning—is she really doing a PhD or are you working for some organization or institution [with a specific agenda to undermine peace]? This question I want to put forward to you. Whoever the foreigners are that come then we raise this question in our minds. There is always the question in our mind that the foreigners have a role to keep Nepal as a place of unrest. This kind of suspicion is a challenge for all the foreigners. Therefore the foreigner should first prove that they really want peace in Nepal (author interview 2009).

In this excerpt, it is clear that the respondent is speaking directly to me, about me, and about a seemingly unrelated issue (am I really who I say I am?), not about the broader topic of peace and development. By comparison, the “alternative” FGDs became more of a conversation between participants. For example, when given the topic of violence NSAG members in one FGD had the following discussion:

1: Are violence and conflict the same or different? What do you think?

2: Maybe they are the same

3: Ok, so we will talk about this

2: What do you say? What do you say?

3: Just say what is in your heart.

2: Yes, we love our lives. We don’t use violence just to show our power. There is always a compulsion behind every act of violence. There are factors that push us into violent states and states of conflict.

4: You said that there are reasons behind violence, yes I agree with you. What we are doing now is because we are discriminated, we are exploited by the state and by the pahadi people so we have come out in the streets. We tried to get our rights through the street protests. But the state did not consider [think of] us. So, many of the armed groups are raising weapons. After we raise our weapons there is definitely a chance of violence.

1: Is it violence first or conflict first? First conflict or violence? What do you say—is it violence first, or conflict?

2: Maybe first suffering, then violence.

4: First maybe violence, then suffering.

3: Conflict does not erupt automatically. The conflict and violence in Madhesh did not emerge on its own (author interview 2009).

As evidenced by the excerpt above, discussions within the “alternative” FGDs tended to be open and fluid rather than directed and terse. In the second excerpt focus group participants created a philosophical discussion around violence and how they perceived it affecting their lives. One participant questions the others (“is it violence first or conflict?”) and someone jumps in with an alternative response to his question (“maybe it is suffering first”). The FGD method employed in the second half of my research shifted the interaction, as Jakobsen describes:

As interaction is shifted from researcher-participant to participant-participant, so is control and reference. This addresses some of the concerns raised by feminist social scientists regarding the exploitative potential of researcher-controlled one-on-one interviews (Wilkinson, 2006). As participants discuss the issues raised, interpret the questions, re-phrase them and ask their own, not only are they less the subject of the researcher’s ‘imposition of meaning’, but the views and opinions that the research is eliciting emerge in greater complexity than they do from surveys and one-on-one interviews (Jakobsen forthcoming).

Undoubtedly, this method of conducting focus group discussions has its drawbacks. For example, how does one ensure that participants stay “on topic”? Does this method solve the problem of power imbalance between researcher and participants? However, for the purposes of eliciting information about how people *discuss amongst themselves* public discourses such as violence, peace, and conflict, this method has opened up new pathways for engaging more deeply with participant research.

Language

Throughout the course of this research I was required to utilize at least three languages to conduct interviews: Nepali, Maithili, and Hindi. Where respondents spoke English, however, we used that language as the medium of conversation. The choice of language was left to the respondent and his or her comfort level with being interviewed in that language. As mentioned above, I did not record any individual interviews. During the course of an interview conducted in Nepali, both my research assistant and I would take notes on an individual's response. After the respondent completed her comment, my research assistant would translate the response for me to confirm my notes and fill in any gaps that I might have missed. When interviews were conducted in Maithili or Hindi I simply waited for the translation. As with all research choices, conducting interviews through a translator has its merits and limitations. Among the drawbacks is meaning that is lost in translation.

Language remains a critical aspect of our socio-cultural world. As I moved through this process I began to better understand the centrality of language in political struggle. Several times during the course of this research I witnessed Nepali language newspapers set ablaze in the middle of the street as a form of language protest. In response to the sensitive situation in the tarai, several of my previous Nepali-speaking research assistants declined to take part in fieldwork carried out in the central-eastern tarai region⁴⁹. For over half of my fieldwork period I worked exclusively with a research assistant from the eastern tarai who spoke Nepali, Hindi, and English and understood Maithili.

⁴⁹ Nepali language and language activism will be discussed in further detail in the chapters that follow; however, some activists in the central-eastern tarai equated Nepali speakers with what was perceived as the ruling group in Kathmandu. Therefore, those individuals for whom Nepali was a mother tongue did not feel comfortable traveling to regions where other languages prevailed, for example the central-eastern tarai.

Document Analysis

A final source of data is the variety of documents pertaining to the Nepalese conflict and peace process, which I gathered and analyzed from 2006 to 2011. First, I conducted a review of news sources that discussed accounts of conflict. These news sources included Nepalese newspapers and magazines and radio and television reports⁵⁰. I relied primarily on English language newspapers and magazines but also had Nepali and Maithili language newspapers translated in some instances. For example, newspapers that I consulted represented a variety of political viewpoints including the Kathmandu Post, The Himalayan Times, The Rising Nepal, and MyRepublica. Additionally, I regularly read the Nepali Times and Himal South Asian (a regional monthly news magazine). Second, I studied prominent academic and policy related books on Nepal. Third, I analyzed reports on Nepal and the Nepalese conflict written by international and Nepalese non-governmental organizations which included weekly OCHA situation reports and monthly INSEC bulletins.

Anonymity

Given the degree of political uncertainty and tension within the country—as well as surrounding the themes of this study (Autessere 2006)—some of the people I interviewed preferred to remain anonymous. For this reason, I list interviewees only as their status (i.e. “NSAG member”, “local man/woman”) and the year the conversation occurred. Following Autesserre (2006), because of the limited number of female UN officials and INGO workers in Nepal, using feminine qualifiers when relevant would be a breach of confidentiality (41). Therefore, I use masculine qualifiers to refer to all international staff members, be they men or women.

⁵⁰ Again, I relied primarily on English language television reports although I watched the Nepali language news broadcast as well.

Treatment of Data and Data Analysis

As noted above, I did not record individual interviews. Field notes that were taken in notebooks were typed up on a password-protected laptop after the interview and filed accordingly. Where focus group discussions were recorded, my research assistant and I would listen to the recording together, translate the conversation, and type up the proceedings of the discussion. The recording of the focus group discussion was then deleted.

As I read through the interviews and focus group discussions both during and after fieldwork, I was able to highlight themes that demonstrated answers to the research question. Themes that were discussed in interviews and focus group discussions included marginalization, symbolic and structural violence, ethnofederalism, lack of law and order, open border, political impunity, corruption, legacies of violence, and criminality. From these themes I was able to establish the five central themes discussed in the thesis: ethnofederalism, political context, elite manipulation, rent-seeking/criminality and open border, and corruption/law and order. While there is overlap between the themes and categories of respondents, broadly, non-state armed groups typically discussed ethnofederalism as the main perception of continued violence while civilians discussed all themes in their interviews and focus groups discussions.

Methodological Issues Researching in/on Conflict

Researching amidst the ongoing conflict in Nepal often meant that there were constraints on my mobility, beyond access to cantonments. There were frequent *chakka jams*, *nakabandi*, and *bandhs* in various parts of the country. Kidnappings and murders had become a rising phenomenon causing people to severely limit their daily routines. Witnessing, monitoring, and

adapting to mobility restrictions became a critical part of this research, helping me to understand the fluidity of movement in liminal spaces and the discomfort that caused people with more sedentary outlooks. Further, this thesis is about violence and conflict. As a researcher, my “field site” was saturated with discussions about politics, violence, and conflict with those who both experienced and perpetuated violence⁵¹. As such, I am compelled to confront these issues ethically, methodologically, and emotionally (Sharma 2007).

Within academia there is a growing body of literature on researching violence and conflict (Kovatas-Bernat 2002; Lee 1995; Nordstrom and Robben, 1995; Pettigrew, Shneiderman, and Harper 2004; Sluka 2000; Smyth and Robinson 2000). Additionally, there are scholars who advocate that social researchers working in violent situations have a duty to write against that violence, rather than edit it out or simply not address it in their work, as if it never existed⁵² (Scheper-Hughes 1993, 1995; Taussig 1984). George Kunnath (2004) notes,

I think the majority of our discipline [anthropology], under the veil of objectivity and anthropological ethics, shy away from engaging with the unequal power relations, structural violence and socio-economic mechanisms that ravage the subjects of our inquiry. Our theoretical orientations find safer expressions in an apolitical liberal relativism (11)⁵³.

Jeevan Sharma (2007) echoes this sentiment when he writes about the importance of researching in Nepal during conflict,

⁵¹ Oftentimes these people were one in the same.

⁵² The classic example of this within the discipline of anthropology is that of Clifford Geertz’s distinctive lack of engagement with the violence which surrounded him during the 1965 Indonesian coup d’etat and the purges and arrests that resulted.

⁵³ Likewise, Bourgois (1995), Farmer (1999, 2003), and Scheper-Hughes and Bourgois (2003), to name just a few, have proposed a morally and politically engaged anthropology (Kunnath 2004: 11).

we must not forget that this was probably one of the most historically significant times to conduct research in Nepal. Whether or not the ongoing political turmoil gave an impetus for research, the implication of working in the context of conflict meant that it was increasingly impossible to ignore the political instability that became a part of life among the subjects of study (58).

Objective neutrality is a standard that is revered in the social sciences. However, I agree with George Kunnath when he writes of his similar fieldwork experience in Bihar:

[t]he concept of neutrality does not hold much relevance in a context like this. It is impossible to be an impartial observer in a society polarized by caste and class struggle, where those who live on the margins of society are being butchered every day. I had cast my lot and I shared the sentiments of June Nash, ‘in a revolutionary situation, no neutrals are allowed’ (1976: 150). I have entered this field with my sympathies for the Dalits and a clear focus on understanding their everyday world amidst the three decade long violence in central Bihar. I never hid that primary concern. (Kunnath 2004: 6).

I, too, entered this research with a concern for the marginalization of particular groups of people by the Nepalese state. For Kunnath, and for me, recognizing your own motivations for exploring a topic is critical and requires an open and honest presentation to the reader. However, motivations and support are very different things. While I was, and remain, curious about the violence advocated by certain groups I could not, and still cannot, support or condone it. I was clear about this with every individual who raised the question of me.

As academics we are expected to suppress our emotions throughout our fieldwork. But, as Celayne Heaton-Shrestha argues, “our emotions as researchers, in particular towards our subjects of research, tend to go through changes; this raises questions about the ways in which ‘the field’ is constructed across different institutional settings” (2007: 1). The academic gold standard of objective neutrality begins to slip away when you allow yourself the space to actually experience your emotions. This fieldwork was not conducted in a lab where I stood dutifully by and took

notes; I saw people I know die, I watched as people experienced intense discrimination, I listened as people told me how they lost their homes and loved ones.

Conclusion

This chapter outlined the methods employed to carry out research in Nepal from 2008 to 2009 and discussed how decisions were made regarding research design and methodology. It presented a case for a qualitative, ethnographic case-study in researching the question of how conflict actors and civilians experienced and interpreted violence in the postconflict environment. Because this thesis is a “study of social change as it is occurring” (Ahearn 2001), the choice of ethnography as a method was therefore critical to this thesis. It was only through being present, interacting with, and listening to people that I was able to gain perspective on the experiences and ways that meanings were generated in their everyday lives. Finally, this chapter addressed methodological challenges of doing research in and on conflict, arguing that such research must confront difficult issues of violence rather than strive for objective neutrality.

CHAPTER THREE

Historical Overview: The Political Formation of the Nepalese Nation-State

This thesis examines how violence was understood and experienced by individuals in Nepal's central-eastern tarai region after the signing of the Comprehensive Peace Agreement. As such, this project is based on ethnographic research in various spaces across Nepal, but most specifically in the central-eastern tarai. This chapter therefore provides a contextual foundation for the discussion and analysis of activist politics in the chapters that follow. While this chapter aims to provide an overview of the country's political history more broadly, it works in tandem with chapter four to provide a nuanced version of the formation of the Nepali nation-state, which offers specific reference to the central-eastern tarai region. This chapter, therefore, sets the stage for understanding the context of the project and exploring the research questions set out in chapter one.

Presenting the Past(s)

In an effort to better understand the events of the present, one must understand past(s)—the versions of history that are presented officially (often through school textbooks, in national speeches, and even in academic literature) and the interpretations of those histories- how they shape people's view of who they are, where they've been, and where they can go in light of their relationship to the nation. While not exhaustive of Nepal's deep and complex history⁵⁴, this chapter aims to demonstrate a more holistic view of the country's story, one that includes the southern plains as an integral part of the idea of the "Nepali nation-state". Often, the history of

⁵⁴ For excellent accounts of Nepal's history and foundational narratives see Pradham 1991; Regmi 1995; Rose and Scholz 1980; Stiller 1973; Whelpton 1991.

Nepal is “hill-centric”⁵⁵ and, to a degree, “Kathmandu-centric”⁵⁶ in accounts of rulers, governments, politics, and policies. The broader view of history provided here illuminates the growth and fluctuations of a developing Nepali state and considers the long-term processes that have affected the conditions of life for the majority of its people (Whelpton 2005). The following sections provide a historical overview of the political and ideological formation of the Nepali nation, which is intended to frame the context for the remaining chapters.

Geography and Geopolitics

The geographic formation of Nepal shapes the foundation for understanding the socio-cultural and political formation of the country. The relationship between people and the physical environment explains, to a large extent, the development of particular social, cultural, economic, and political practices.

With the collision of the Indian subcontinent and Central Asia 70 million years ago, rock strata pushed upwards to form the great Himalayan chain. Further movements over time continued this gradual push, forming the “middle hills” and then, more subtly, forming the Mahabharat range farther south along the Gangetic plain. These plains, called the tarai⁵⁷, are the beneficiary of the rich alluvium deposited by the system of rivers in the north. As such, the tarai is the most fertile land in Nepal, growing most of its food and, today, containing almost half of its population. Geography has also, to a certain extent, “framed” Nepal; the high Himalayas to the north created

⁵⁵ A discussion of Nepal’s geography can be found below; however, it is important to note that, of the three geographic regions in Nepal commonly referred to as the plains, the hills, and the high Himalaya, the hills have been the center of government and power since the formation of the Nepali nation-state. People from the hills are called *pahadis*.

⁵⁶ Kathmandu is the capital of Nepal.

⁵⁷ Tarai is spelled both as “tarai” (as here) and “terai”.

a boundary between modern-day Nepal and China⁵⁸ and, for many years, the tarai's thick forests acted as a natural buffer zone with India to the south; dense, malarial jungles made travel and settlement in the tarai unattractive and, often, deadly in pre-1960s Nepal.

Owing to its strategic location between India and China, two of the world's rising superpowers, Nepal's position is precarious. In his *Dibya Upadesh*, Prithvi Narayan Shah penned it, “a yam between two rocks”, perhaps the most vivid rendering of the country's collective political psychology.

Ancient and Medieval States

In the first millennium B.C., the Ganges Valley was dotted with tribal confederacies, among which were the Licchavis and the Shakyas⁵⁹. It was during this time that the Licchavis gained control of the Kathmandu Valley and ruled there until their line ended in the eighth century A.D. Between the late tenth to the middle of the eleventh century joint rule characterized the Valley, and in 1200 the Mallas took to the throne. For “half a century from 1288 the Valley was frequently raided by the Nepali-speaking Khasas from the Karnali basin and Maithili-speaking Doyas from the Tarai” (Whelpton 1975: 21). These conflicts typified early “Nepal”, and the strategic importance of the Kathmandu Valley cannot be overstated.

In the Kathmandu Valley the kingdoms of Bhaktapur, Lalitpur, and Kathmandu constituted the base of what is today's urban center. Long-distance trade between India and Tibet positioned (pre) Nepal, and the Kathmandu Valley in particular, as an important link in the trade route. Salt

⁵⁸ Though the high passes between northern Nepal and Tibet have been strategically important for hundreds of years.

⁵⁹ The Shakyas were the ruling family to whom Siddhartha Gautum Buddha was born.

from Tibet and the northern reaches of the Khasa empire were traded for grain from India and points south. In the mid-1600s Kathmandu had “achieved privileged status for its own citizens in Lhasa, the right to mint Tibet’s coinage from silver the Tibetans themselves would supply and an agreement that all Tibet’s trade with India would be channeled through the Kathmandu Valley” (Whelpton 1975: 28).

These three regional forces—the Khasa empire, the kingdoms of the Kathmandu Valley, and the Doyas from the tarai—represent modern-day Nepal’s three distinct geo-political “zones”. It would be the Khasa empire that would more heavily influence what was to become what is today the Nepali nation, in contrast to the Doyas, though they would not do so as a consolidated entity.

Petty Kingdoms

The Khasa empire was centered in the Karnali basin and, at its height, covered about 142,000 square kilometers including southeastern Tibet and parts of Kumaon (Whelpton 1975: 22). The Khasa empire fragmented in the fifteenth century and formed the *baisi* (twenty two) in the Karnali river basin and *chaubisi* (twenty four) kingdoms in the Gandaki basin, mapping onto the western and central hills of modern day Nepal. Interestingly, while the Khasa empire was primarily Buddhist the *baisi-chaubisi* kingdoms were strongly Hindu.

In the south, the kingdom of Tirhut was established in 1097 comprising the Maithili speaking region (Whelpton 2005). Maithili language had once been the language of the courts in the Kathmandu Valley until Newari and, eventually, Nepali displaced it. In the Valley, peoples from Tirhut were called “Doyas”. Elsewhere, the Sens retained control of the kingdom of Palpa, the largest in the central hills. In 1553, a Sen ruler took control over the entire eastern tarai through

his control of the kingdom of Makwanpur (Whelpton 2005). Over time, the central hill kingdoms would fall to their *chaubisi* counterpart, the kingdom of Gorkha. These petty kingdoms would become the bases around which modern-day Nepal was formed.

“Unification” and Nation Formation

The history of Nepal often begins with the “unification” of the country by Prithvi Narayan Shah. As the story goes, Shah, the ruler from the House of Gorkha (a small hill kingdom west of Kathmandu) led the conquest of petty kingdoms from 1743 until 1775 to form the new Kingdom of Nepal, with its seat of power in Kathmandu. As John Whelpton points out, “the dominant view...sees the creation of the modern state as the political unification of a people and a territory which in some sense already belonged together” (2005: 2). Thus, “unification” has become a contested term in Nepal and amongst (some) Nepal scholars. “Unification”, as a term today, is now being re-placed with “colonization” by some identity-based groups when referring to a shared “Nepalese” history.

Under Prithvi Narayan Shah the Kingdom of Nepal expanded and contracted until fixed borders were settled in 1816 under the Treaty of Sagauli, which mediated a series of clashes between the Kingdom and the British East India Company. The Treaty of Sagauli, signed in December 1815, required Nepal to “give up all territories west and east of its present day borders, to surrender the entire Tarai and to accept a permanent British representative in Kathmandu” (Whelpton 2005: 42). However, Bhimsen Thapa, Shah ruler at the time, was aware of the need to cooperate with the British and thus delicately balanced pandering to the British and appeasing the Nepalese citizens who were ill at ease with them. One result of this was the establishment of the

“Gurkha”⁶⁰ system—utilizing the “surplus” manpower of the country to augment the British East India Company’s own forces. Thus began one of the first major migratory patterns out of the country of “Nepal”. As a result, the British recanted their demand for representation in Kathmandu and, as David Gellner notes, the British allowed the Nepalese to retain this strip of territory “in order to ensure Nepal was economically viable, and indeed two districts in the far west, Kanchanpur and Kailali, were returned to Nepal’s rulers for their loyalty after 1857” (2007: 1824).

The Shahs continued their reign until a bloody coup in 1846 positioned Jung Bahadur Rana and his family as rulers of the country. From 1846 to 1950 the Ranas enjoyed complete control and kept fixed borders, leaving Nepal in isolation from the rest of the world and reeling in economic stagnation (Regmi: 1999). However, the Ranas themselves were preoccupied with the extraction of resources, enjoying lavish lifestyles as they amassed great personal fortunes and developed a seemingly unquenchable thirst for British goods (Leichty 1997). The Ranas also developed the Muluki Ain (Civil Code) in 1854, which codified a legal social system for the country. This Code is discussed in section below.

“Nepalization”

The Ranas initiated the process of what I will refer to as the “Nepalization” of the country. Under their rule, citizens were to learn what it meant to be “Nepali”—the foremost activities among

⁶⁰ “Gurkha” is a bastardization of the word “Gorkha” the name of the kingdom from which the rulers of Nepal came.

which included speaking Nepali, wearing the national dress, and showing loyalty to the King and the nation⁶¹.

To this end, the Ranas codified, in 1854, a legal hierarchy of castes called the *Muluki Ain*⁶². Under this system a “proper” view of social organization, relations, and management was set forth. This code, it has been argued, set Nepal apart from India in its approach to “managing” its heterogeneous population. Under the *Muluki Ain*, all groups were equally called *jat*. According to Gellner (2007), the key distinctions were between the *Tagadhari* (wearers of the sacred thread), who were society’s elite, and the rest, the *Matwali*, or alcohol-consuming classes (1823). In aiming to provide a moral guideline for the country, the *Muluki Ain* determined one’s legal punishment or enslaveability according to his or her rank within the hierarchy. Table two provides an overview of the *Muluki Ain*:

Table 2: Caste Hierarchy of the *Muluki Ain*

1. Caste group of the “Wearers of the holy cord” (<i>tagadhari</i>)
Upadhyaya Brahman
Rajput (Thakuri) (“warrior”)
Jaisi Brahman
Chetri (“warrior”)
Newar Brahman
Indian Brahman
Ascetic sects
Various Newar castes
2. Caste group of the “Non-enslaveable alcohol drinkers” (<i>namasinya matwali</i>)
Magar
Gurung
Sunuwar
Other Newar castes

⁶¹ “Nepalization” would come to mean something slightly different in the mid 20th century, where the drive to “unify” the country’s heterogeneous population was done in the name of “development”.

⁶² For more on the *Muluki Ain* see Hofer 1979.

3. Caste group of the “Enslaveable alcohol drinkers” (*masinya matwali*)

Bhote (people of Tibetan origin)
Chepang
Kumal (potters)
Tharu
Gharti (descendants of freed slaves)

4. Impure but “touchable” castes (*pani nachalnya choi chito halnu naparnya*)

Kasai (Newar butchers)
Kusle (Newar musicians)
Hindu Dhobi (Newar washermen)
Musulman (Muslims)
Mlecch (Europeans)

5. Untouchable castes (*pani nachalnya choi chito halnu parnya*)

Kami (Blacksmiths and Sarki (tanners)
Kadara (stemming from unions between Kami and Sarki)
Damai (tailors)
Gaine (musicians)
Badi (musicians and prostitutes)
Cyame (Newar scavengers)

Source: Guneratne 2002

Although the *caste system* typically refers to Hindu castes, the Muluki Ain attempted to organize non-Hindu groups into a Hindu caste system in order to establish a clear social hierarchy in the new nation. For example, indigenous groups in the hills such as the Newars had their own complex caste systems that did not necessarily overlap neatly with the Hindu caste system. The solution, then, was to “split the hierarchy and distribute the castes roughly where their ritual status warranted” (Gellner 2007: 1824). However, groups such as the Madheshi remained separate from this hierarchy and retained their own complex caste system which aligned more closely with Indian caste systems in Bihar and Uttar Pradesh. The Muluki Ain has continued to influence socio-cultural and political interactions today, long after it was codified.

To the south, the British were preparing to retreat from India. Against this background, the Nepali National Congress was formed in Benares in 1946 and, under the leadership of B.P.

Koirala, they spearheaded a campaign of resistance against the Ranas in the name of “people’s rule”. In 1950 the group changed its name to Nepali Congress, (as it is still known), and altered its approach from one of non-violence to one of armed aggression. Through a spectacular tale of cunning and deception, King Tribhuvan—who had been, until now, a powerless captive of the Rana regime—escaped to the Indian embassy. This allowed for the Nepali Congress rebel fighters to launch attacks from across the border and take control of Birganj and Biratnagar, and push deeper into the eastern hills. With Indian mediation (and tacit British and American support) an agreement was reached in New Delhi that created a coalition of ruling representatives. The Ranas had been successfully defeated, the monarchy had been restored to power, and the country’s first elected government was to be assembled. The Nepali Congress Party, led by B.P. Koirala, won an overwhelming percentage of the national elections and thus carved the path for the country’s first coalition government. Its duration was short-lived, however. In 1960, only 18 months after elections, King Mahendra sacked the Parliament, using emergency powers, and jailed Koirala. Forty years of “Panchayatocracy” (Gellner 2007: 10) were to follow.

The Panchayat Years

Under the pretext that the government had failed to maintain law and order, King Mahendra assumed political power and created a new state system, *Panchayat* democracy, which was, as he asserted, “better suited” to Nepal⁶³, as multiparty democracy was viewed as an “alien system” (Burghart 1984; Gellner 2003; Hutt 2004; Whelpton 2005). The Panchayat system mandated the election of village councils (*panchayats*) and the creation of “class organizations” which were to

⁶³ For many years, local councils (*panchayats*) were formed at the village level to resolve disputes. It is from these local bodies that Mahendra culled this idea.

be subservient to the king's rule. The elements of "Panchayatocracy", as outlined by David Gellner, are outlined in Table three below.

Table 3: Elements of "Panchayatocracy"

(1) Leadership of the King, as the bringer and guarantor of 'democracy';
(2) A system of bottom-up representation on the basis of what were argued to be genuinely Nepali village-level councils (panchayats). Rather than through the supposedly foreign notion of political parties;
(3) Economic development (bikas), towards which aim all institutions were supposed to be subordinated;
(4) Equality of all citizens;
(5) Unity of the nation, as expressed in the slogan, 'One language, one dress, one country' (ek bhasa, ek bhash, ek dhash) and the importance of 'building nationalism' (i.e. feelings of national identification);
(6) The banning of any non-governmental organizations (e.g. independent trade unions) that would represent sectional interests and increase internal conflict; they were replaced with official, supposedly non-conflictual 'class organizations' (bargiya sangathan) for youth, peasants, workers, women, students, and ex soldiers (Joshi and Rose 1966: 406-410);
(7) Hinduism as the official state religion, with Buddhism, Jainism, and Sikhism seen as branches of Hinduism;
(8) Respect for traditional customs

Source: Gellner 2007

Under the Panchayat system all political parties were banned and the Constitution was suspended. In December 1961, a new Constitution was promulgated which established that sovereignty rested with the royal dynasty and that powers of the state would be enjoyed by the King⁶⁴ (Burghart 1984). Under this system the King would be assisted by Panchas (hand selected individuals that constituted the National Assembly), and together the system would guide Nepal along the development process. This Panchayat era was characterized by campaigns of “unity”; Richard Burghart argues that the state construction of Nepal at this time allowed the Hindu kingship claim to a source of authority that was ‘uniquely Nepalese’ in that there resided “an intrinsic loyalty between the King and his subjects by virtue of common religious bond” (1984) and thus conceived a particular modality of enacting (and, thus, acting in) public and private⁶⁵. The Panchayat regime sought to develop a particular type of Nepali nationalism, built on the Nepali language, dress, and (a Hindu) country⁶⁶ (“*ek bhasha, ek bhash, ek desh*”). Despite its suppression of political parties, the Panchas effectively became a political party and as such Nepal transformed from a partyless democracy to a one-party state run by “the partyless party” (Burghart 1984).

Despite threats of jailing, underground political parties remained vibrant, particularly the Nepali Congress and the United Left Front (a coalition of seven communist parties, most prominent among them the Communist Party of Nepal-Marxist Leninist, or the CPN-UML)⁶⁷. Their

⁶⁴ The 1962 constitution also declared Nepal a Hindu state—though this only gave formal reality to an already existing widespread understanding of the role of Hinduism in public life.

⁶⁵ See also Michaels 1997; Sharma 2002.

⁶⁶ “Country” implicitly meant monarchy---“our country, our king”.

⁶⁷ In 1978 members of a radical armed group based in Jhapa established the Communist Party of Nepal (Marxist-Leninist). Now known as the “Jhapa Uprising”, this group, inspired by neighboring Naxalites, began assassinating “class enemies” in the district. In addition to the Nepali Congress, the CPN-UML have now become one of the major players in national politics.

continued activity eventually led to the Jana Andolan (People's Movement) of 1990, an event that capsized the Panchayat system.

Yet, as Martin Hoftun points out, the opposition leaders in the 1990 movement made a conscious decision to attack the Panchas, not the Monarchy, as they did not want to harm the King as a symbol of national unity (1993). Yet, full credit does not lie with the political parties themselves. The People's Movement capitalized on the general public's discontent. In 1989, India restricted the movement of goods into Nepal as a response to new restrictions on Indian workers in the Kathmandu Valley and Nepal's purchase of arms from China; discontent grew as kerosene supplies dipped (Whelpton 2005). Simultaneously, rumblings in Eastern Europe jarred Nepalese politicians into new directions of thought and action (Hutt 1994). Capitalizing on the general population's dissatisfaction with the panchayat system, the political parties helped to direct collective frustration and organized the mass demonstrations in the spring of 1990. The Jana Andolan was the first mass public protest in Nepal's history and was marked by unity between various political parties. Protests were centered in Kathmandu, where over 200,000 people took part, but the movement radiated to other areas of the country as well, for example Pokhara and Chitwan. The movement effectively brought an end to the absolute monarchy and initiated constitutional democracy for the first time in the country's history⁶⁸. By April 16, 1990 the Panchayat system had been abolished and an interim government, composed of members from different political parties, was tasked to run the government.

⁶⁸ For more on the 1990 People's Movement (Jana Andolan I), see Ogura 2001.

This change in the political landscape brought forth the promulgation of a new constitution that created a multi-party democracy within a constitutional monarchy⁶⁹. This was the first time in the history of Nepal that sovereignty rested with the people. The constitutional government in place at this juncture severely reduced the King's powers (though did not eliminate them) and put in place a Parliament where power alternated between the newly elected parties of the Nepali Congress and the Communist Party of Nepal (CPN-UML). As a result of the People's Movement, large numbers of ethnic, religious, regional, and social parties emerged and people began to express themselves openly⁷⁰. However, as Pratyoush Onta (2004) points out, these parties failed to meet popular expectations and thus deep disappointment was felt throughout the populace⁷¹.

⁶⁹ For more on the 1990 constitution see Ellingson 1991; Hutt 1994.

⁷⁰ For more on Nepal's political parties and the People's Movement of 1990 see Hachhethu 2003; Ogura 2001; Raeper and Hoftun 1992.

⁷¹ See also Upadhya 2002.



Photo 3: Student elections at university in Janakpur

Source: Author

Contemporary Political History of Nepal: 1990s-present

The 1990 Constitution

Administrative changes in Nepal have led to important changes in ideas about identity and belonging in the Nepali nation. The 1990 Constitution is therefore important to this thesis for two reasons. First, it provides a historical, legal context for the real and perceived exclusion and marginalization of non-Parbatiya elites in Nepal, among them Madheshis of the central-eastern tarai. Second, the way in which Nepali national identity was framed in the 1990 Constitution has implications for the ‘postconflict’ task of drafting a new Constitution where a main challenge of

building a ‘new Nepal’ involves re-defining a Nepali national identity including, but not limited to, the re-structuring project centered around ethnofederalism.

In her pioneering study of constitutional nationalism and legal exclusion in Nepal, Mara Malagodi analyzes the ways in which the 1990 Constitution institutionalized the hegemony of Hindu upper-caste elites from the *pahad*⁷² region (*Parbatiyas*⁷³) through the monolithic definition of the nation, translating into exclusion and discrimination of other sociocultural groups within the country (2013). The 1990 Constitution “provided a homogenizing vision of Nepali society and did not reflect the country’s great socio-cultural diversity, and subsequent interpretations of this document reinforced the hegemonic national narratives forged during the Panchayat regime promoting the attributes of Hindu kingdom, Arayan culture, and the Nepali language, and hence the hegemony of the Parbatiya (and to some extent Newar) elites (Malagodi 2013: 12). Malagodi locates the decision for such institutionalization by drafters of the Constitution rooted in path-dependent historical processes of state formation built on the model of Hindu kingship and the retention of the Shah monarchy after the dissolution of the Panchayat regime; the formulation of the Constitution, she argues, reflects a “strong continuity with the past in terms of the view of the Nepali State’s nature and legitimizing ideology, both shared by the country’s political elites, irrespective of their political affiliation and ideological orientation” (2013: 269). Rather than viewing the language of the Constitution as merely symbolic, as some Constitution drafters claimed, Malagodi convincingly demonstrates how legal interpretation by Nepal’s Supreme Court sanctioned existing patterns of exclusion and marginalization. For example, despite the inclusion of Article 4(1) in the 1990 Constitution which declares Nepal a

⁷² “Hilly”

⁷³ Hill Chetris and Hill Brahmins. Parbatiya and pahadi are used interchangeably.

‘multilingual Kingdom’ and encourages the ‘promotion of their [non-Nepali] languages, literatures, script, arts, and culture’, Lal Bahadur Thapa’s petition to use languages other than Nepali as official languages in local government bodies was denied by the Supreme Court of Nepal in June 1999, citing that such practice would violate Article 6(1) of the Constitution which made Nepali the only official language of the nation (Malagodi 2013: 248-249). An analysis of political representation by caste/ethnicity illuminates this point further. Tables four and five outline caste/ethnic composition of political party leadership and legislatures, respectively.

Table 4: Caste/Ethnic Composition of Parties’ Central Committees in 2001

<i>Caste/Ethnic Group</i> ⁷⁴	<i>Nepali Congress</i>	<i>UML</i>	<i>RPP</i>
Bahun	18 (58.1%)	25 (71.4%)	5 (17.2%)
Chetri	6 (19.4%)	6 (17.0%)	8 (27.5%)
Newar	1 (3.2%)	2 (5.7%)	2 (6.9%)
Hill ethnic groups	3 (9.7%)	1 (2.85%)	8 (27.9%)
Terai caste/tribals	3 (9.7%)	1 (2.85%)	6 (20.7%)
TOTAL	31 (100%)	35 (100%)	29 (100%)

Source: Kumar 2005 (in Malagodi 2013: 196)

⁷⁴ Bahun and Chetri groups in this table represent hill castes; Terai high caste groups are combined under “Terai caste/tribals”

Table 5: Caste and Ethnic Composition of Legislatures

	Post-1951 Democracy	Panchayat (1960-90)			Post-1990 Democracy		
Caste/Ethnic Group⁷⁵	1959	1964-79	1981	1986	1991	1994	1999
Bahun ⁷⁶	27.5%	23.5%	14.81%	21.24%	36.6%	44.39%	46.34%
Chetri	31.2%	35.5%	34.82%	38.68%	18.53%	18.53%	17.07%
Newar	3.7%	13%	8.15%	6.6%	6.8%	6.34%	6.34%
Hill tribes	15.6%	14.9%	21.48%	17.51%	16.6%	11.70%	12.19%
Terai castes	22%	11.4%	18.1%	13.86%	21.01%	18.53%	17.07%
Others	-	1%	2.6%	2.19%	0.5%	0.48%	0.97%
TOTAL	100%	100%	100%	100%	100%	100%	100%

Source: Kumar 2005 (in Malagodi 2013: 196)

The tables above show that Parbatiya males are over-represented in both the leadership of political parties as well as within the legislatures. While hill Bahun groups' representation in the legislature increased from 27.5% to 46.34% between 1959 and 1999, tarai castes' representation declined from 22% in 1959 to 17.07% in 1999. Similarly, hill Bahuns and Chetris dominated political party central committee posts in both Nepali Congress and UML, holding of 43 of 66 seats within both parties, while tarai castes held just 4 of 66 seats between these two parties. It is important to note that both Nepali Congress and UML have consistently been two of the biggest

⁷⁵ Bahun and Chetri groups in this table represent hill castes; Tarai high caste groups are combined under "Terai castes"

⁷⁶ According to the 2001 Census, Bahun and Chetri groups, together, constituted less than 30% of the total population.

political parties that have controlled electoral politics in Nepal since the return of democracy in 1990 (Malagodi 2013). Other posts also reflect Parbatiya dominance; for example, Ameer Dhakal (2007) notes that

Out of 235 judges in Nepal's judicial system, 118 were Bahun/Chettri [50.21 per cent], 32 were Newars [13.61 per cent], 18 were Madheshis [7.66 per cent] and 4 Janajatis⁷⁷ [1.22 per cent]. There was not a single judge from among the Dalits! Similarly, 245 heads of public administration, 190 were Bahun/Chettri [97.5 per cent], 43 were Newars [17.55 per cent], 3 were Janajatis [1.22 per cent], 9 Madhesis [3.67 per cent] and again none from Dalits (in Malagodi 2013: 197).

Further domination of Parbatiya groups is seen in executive posts as well:

Between 1951 and April 2006 there were together 1341 ministers. Of these Ministers 26.8% were Bahuns...28.2% were Chatri/Thakuri...and 10.1% were Newar...All holders of the position of Prime Ministers were from these three caste groups, Bahun, Chettri, and Newar, as were 94% of home ministers. All Chief Secretaries of the government, thus far, had belonged to the three dominant groups (UNDP/CASU 2008 in Malagodi 2013: 199).

Such data makes clear that upper Hindu caste Pahari males have comprised the majority of state bodies and political parties though, as Malagodi is right to point out, while “most of Nepal's governing elites are Parbatiya, the majority of the Parbatiya population does not constitute any sort of elite in Nepali society” (2013: 203). This fact illuminates that, more than caste alone, historical structures and relationships have privileged Parbatiya elites where Nepal's political leadership is concerned; for example, family connections to the palace have played a more important role in determining the governing elite than membership in a high-caste group itself (Dahal 2000 in Malagodi 2013). This insight highlights the important fact that there is a great

⁷⁷ Janajati refers to indigenous groups in Nepal, specifically from the hills.

deal of internal diversity within groups that is rarely acknowledged when debating issues of exclusion and marginalization.

The “People’s War” Years

As noted above, the *Jana Aandolan* (People’s Movement) of 1990 is often credited with planting the seeds of change and revolt in Nepal. Successive governments’ corruption and mismanagement, the continued marginalization of lower castes, indigenous people, and other ethnic groups, and the widespread poverty and economic disparity throughout the country deepened disillusionment with mainstream political parties and provided opportunities for groups like the Communist Party of Nepal-Maoist (CPN-M) to flourish. A hitherto small and unknown group, the CPN-M delivered to the Government of Nepal a 40 points demand in February 1996 (see Appendix 1 for full list) along with an ultimatum: if the demands were not met, the Party would launch an armed struggle. Days later, upon the government’s refusal to acknowledge their demands, Maoist cadre launched attacks on police posts and government offices in several strategic “base areas” of the country. Among the most successful was the attack on Holeri in Rolpa district.

Maoist strategic plans focused on a protracted war whereby villagers were recruited and trained for inclusion in, what is today known as, the People’s Liberation Army (PLA). Simultaneously, CPN-M political wings worked to establish “pro people” bodies and *jan sarkar* (people’s government), in each district under their control (Hutt 2004). CPN-M leaders adopted Mao Zedong’s tactics of guerilla warfare⁷⁸, which consists of three distinct phases: strategic

⁷⁸ The origin of the “Maoism” in CPN-“Maoism”

defensive, strategic balance, and strategic offensive. Attacks moved from the strategic defensive to strategic offensive where they launched mass attacks on police posts, government offices, and banks.

By and large, during the first four years of the “People’s War”, the Maoists were considered a peripheral political group and, as such, government response to their activities was poor⁷⁹. In fact, for many years the Nepali Congress towed the hard line of non-negotiation with the CPN-M. Most people understood the situation to be one of conflict between the Maoists and the police. However, the Maoist’s 2000 attack on police in Dolpa, resulting in 14 deaths, marked a turning point in the conflict (Hutt 2004; Whelpton 2005) and, as the level of violence intensified, the government was forced to acknowledge the Maoists as a serious armed political movement. By mid-2001 Maoists had gained control over five districts⁸⁰ (Hutt 2004), establishing *jan sarkars*⁸¹.

Further layering the political complexity, on 1 June 2001 nine members of the royal family were shot dead, including King Birendra and Queen Aishwarya. It is believed that Crown Prince Dipendra, in an intoxicated rage, gunned down members of the family and then shot himself. Upon his death Dipendra’s uncle, Gyanendra, ascended the throne amidst much public speculation. Conspiracy theories spread and Maoist ideologues publicly asserted that the massacre was a devised collaboration between India, the United States and Gyanendra, however, they were never able to produce sufficient evidence (Sharma 2004). As a result of the royal family deaths, the Maoists tried to co-opt public reactions and incite an army revolt and, as such,

⁷⁹ However, the police responded by launching operation ‘Kilo Sera Two’ from May 1998 to May 1999 in 18 districts resulting in over 500 deaths, a majority of whom were innocent civilians (Sharma 2004).

⁸⁰ Nepal is divided into seventy-five districts.

⁸¹ Literally, “people’s governments”.

they strategically intensified their armed military campaign (Sharma 2004). Maoists captured police in remote districts and, after the Royal Nepalese Army (RNA) refused to engage with the rebels, Prime Minister Girja Prasad Koirala resigned in an act of protest (Whelpton 2005). Control of the Royal Nepalese Army was unclear; the Prime Minister was constitutionally able to deploy the military yet their allegiance lay with the King.

In June 2001, Sher Bahadur Deuba replaced G.P Koirala as Prime Minister and declared a ceasefire with the Maoists. In August 2001 the government, for the first time, entered into talks with the Maoists. Central to the discussion were the Maoists' three demands: establishment of an interim government, election of a constituent assembly to draft a new constitution, and declaration of Nepal as a secular state (Hutt 2004; Whelpton 2005). When the government refused to meet Maoist demands, the latter pulled out of the negotiations and launched an attack on the RNA for the first time in the conflict, effectively breaking the ceasefire. On 26 November 2001 King Gyanendra declared a state of emergency under which he dissolved Parliament, suspended constitutional rights, labeled the Maoists "terrorists"⁸², and deployed the RNA. Over the course of the year hundreds of lives were lost in battles between the Maoists and the RNA.

Intervention on the part of international actors such as the United Kingdom and the United States included training and equipment to the RNA since 2000 and 2002, respectively⁸³, and in 2003 India became even more strategically interested in the conflict. Increased levels of violence ensued in 2004. The Maoist attack on Beni, headquarters of Myagdi district, in March 2004 was

⁸² Note that this declaration came soon after the September 11th attacks in the US and the resulting amplified rhetoric around "terrorism".

⁸³ I'd like to thank Kristine Eck for this point.

one of the most socially, physically, and psychologically damaging attacks in the war. Witnesses estimate at least 5,000 Maoists charged on Beni with mortars and rifles. The RNA estimated that more than 500 Maoists were killed and 200 wounded while the Maoists captured more than thirty government officials and claim to have killed at least 150 government soldiers.

In February 2005, King Gyanendra declared a state of emergency, arresting political leaders and activists, imposing curfews, cutting communication, censoring the media, and suspending civil rights (ICG 2005). The King and his ministers argued that “only a strong, authoritarian government can deliver peace” (ICG 2005). Recognizing the futility of pandering to the king, the seven major political parties opted to form an alliance with the CPN-M in November 2005, a decision that critically changed the course of Nepali politics (Eck 2007). In September 2005, the Maoists declared a ceasefire as a goodwill gesture but continued to train recruits and maintain their arms. In a historic move, Maoists and the mainstream political parties⁸⁴ (referred to as the Seven Party Alliance, or SPA⁸⁵) entered into an alliance on 22 November 2005 with the common strategy of agitating against the “autocratic monarchy” (ICG 2005). This move signaled both SPA and Maoist recognition of their independent limitations and need for mutual support and mobilization in the face of the royal coup. Dialogue ensued but not without difficulties; the SPA were willing to agree to a constituent assembly but they pushed first for restoration of the 1999 parliament; the Maoists were unwilling to compromise (ICG 2005). In January 2006 the Maoists announced that they would not extend the ceasefire.

⁸⁴ While those parties were mainstream, they had been excluded from governance after the royal coup in 2005.

⁸⁵ The parties that make up the SPA are the Nepali Congress (NC); Communist Party of Nepal (Unified Marxist-Leninist, UML); Nepal Sadbhavana Party (Anandidevi, NSP(A)); Nepali Congress (Democratic, NC(D)); Janamorcha Nepal; Nepal Workers and Peasants Party (NWPP); and United Left Front (ULF).

In an extraordinary display of determination, Nepalese people took to the streets of Kathmandu and other cities across the country in April 2006 in what has since been termed Jana Andolan II (the second People's Movement) and denounced King Gyanendra as ruler of Nepal. Organized mainly by civil society groups rather than political parties, the second People's Movement was arguably more extensive than the first. In Kathmandu, over 500,000 people marched on Ring Road⁸⁶; hundreds of people were arrested and dozens were killed. Around the country, protestors made their voices heard. The general strike galvanized widespread disillusionment and translated it into a movement that irrevocably changed the Nepalese political environment (ICG 2005). On 24 April 2006, King Gyanendra surrendered to the will of the people and announced that "the source of state authority and sovereignty of the kingdom of Nepal is inherent in the people of Nepal" and thus reinstated the 2002 parliament.⁸⁷ As a result, Nepal shifted from a monarchy to a republic and, thus, the country was no longer officially a Hindu kingdom.

Over the course of the next seven months Maoists and the SPA held a series of talks to discuss the future of Nepal. On 21 November 2006 the government and Maoists signed a comprehensive peace agreement that declared an end to the ten-year civil war, established the inclusion of the rebels in mainstream politics, and set a date of June 2007 for constituent assembly elections which would lead to the drafting of a new constitution (ICG 2005). Thus, a new era of "postconflict" was heralded by the international community. However, dimensions of security were only vaguely discussed; Maoists agreed to retain their armies in seven major cantonments across the country under United Nations supervision. The Nepal Army⁸⁸ likewise agreed to

⁸⁶ The Ring Road is a prominent road in Kathmandu which circles the city.

⁸⁷ See the full text of King Gyanendra's speech at http://news.bbc.co.uk/2/hi/south_asia/4940876.stm.

⁸⁸ After April 2006 the 'Royal Nepalese Army' (RNA) has become the 'Nepalese Army' (NA).

remain confined to its barracks. Differing expectations still linger as Maoists would like to see their armed combatants become half of a new national force while the Nepal Army would like to see them entirely disarmed (ICG 2005). Despite these differences, Nepal's interim constitution was promulgated on 15 January 2007.

Within a matter of days, major protests took place in the tarai as the *Madheshi*⁸⁹ population began demanding an end to discrimination against their people and greater representation in parliament⁹⁰. The issue of representation in the interim government continued to be a sticking point between Maoists and the SPA and, combined with the situation in the *tarai*, the June 2007 elections were rescheduled for 22 November 2007. In a disappointing turn of events for many in Nepal, the Maoists walked out of the government on 18 September 2007 citing a host of new demands which included two stipulations to the Constituent Assembly (CA) elections: the immediate abolition of the monarchy and a system of proportional representation in place of the established mixed system. Maoist ideologue Baburam Bhattari felt that “the elections had degenerated into a farce” (Sarkar 2007) and thus would not participate in the electoral system as it was structured. However, seven months later the elections went forward⁹¹, on 10 April 2008. The CPN-M, much to the surprise of outside observers, won an astounding number of seats in the general election: 220 of 601, making CPN-M the largest party in the Constituent Assembly, followed by the Nepali Congress with 110 seats and the CPN-UML with 103. The country's first

⁸⁹ A discussion of “Madheshi” identity is included in later chapters.

⁹⁰ While this will be discussed in greater detail in chapters to come, it should be noted here that the Maoists had begun to exploit ethnic identities in their rhetoric and recruitment during their “People's War”; this went on to have a significant impact on ethnic demands, particularly in the central-eastern tarai, as will be demonstrated in later sections.

⁹¹ The parties reached a compromise, allowing for a mixed first-past-the-post and proportional representation system. Thanks to Kristine Eck for this clarifying point.

Constituent Assembly was now tasked with drafting a new constitution. After much political back-and-forth, Pushpa Kamal Dahal (Prachanda) was elected Prime Minister in August 2008.

However, Dahal's reign as Prime Minister was to last a short nine months; Dahal resigned his post as Prime Minister in May 2009 citing the refusal of Army Chief Rookmand Katwal to step down as an affront to the notion of civilian supremacy. Shortly thereafter, Madhav Kumar Nepal (UML) succeeded him until he himself stepped down in an eleventh hour deal with Maoists upon the collective decision to extend the term of the Constituent Assembly in May 2010. Nepal continued to head a caretaker government but, after sixteen rounds of parliamentary voting ended in disagreement over power-sharing, the country was effectively without political leadership. In February 2011, UML leader Jhala Nath Khanal rose to the post of Prime Minister after former Prime Minister and CPN-Maoist leader Pushpa Kamal Dahal (Prachanda) bowed out of the race. However, Khanal's leadership would not last long. In August 2011, Maoist ideologue Baburam Bhattarai was elected Prime Minister and, at the time of writing (June 2012), is still serving this post.

Where the "transistion" is concerned, the drafting of the constitution by the Constituent Assembly continues to be a sticking point in Nepalese politics at the time of writing. While several models of federalism have been forwarded by the political parties between 2006 and present day (2012), none have garnered the full support required to be adopted into the new Constitution.

Conclusion

This chapter has presented an overview of Nepalese history, outlining the key concepts of “unification” and “Nepalization”. It illuminated the socio-political formation of the Nepalese nation-state and discussed the role of Panchayatocracy and the People’s Movements. This chapter also discussed contemporary political history by describing the evolution of the Maoist “People’s War” and the signing of the Comprehensive Peace Agreement. This chapter has therefore provided important historical and contextual foundation for the chapters that follow.

CHAPTER FOUR

A Borderlands Perspective: Tarai History

This thesis examines how local-level violence persisted after the signing of the CPA and how the political work of reconfiguring identities, specifically ethnicity, was initiated in the postconflict period. Specifically, it explores how non-state armed groups in the central-eastern tarai formed around the prospect of ethnofederalism, a federal administrative arrangement that would be instituted under the new Constitution, and how local residents interpreted the mobilization and activities of those groups. While chapter three provided an overview of the socio-political formation of the present day Nepali nation-state, this chapter builds on that information to provide a deeper understanding of life at the borders of the nation, utilizing a “borderlands perspective”. This borderland is the home to those who have both experienced and perpetuated violence in the post-peace agreement period. In particular, this chapter specifically examines the history of the tarai while providing a deeper contextual understanding of the socio-political factors that have shaped conflict in the region, as well as in the country more broadly⁹². This chapter, therefore, helps to build a foundation for exploring the fluidity of violence in Nepal’s “postconflict” period.

The Tarai

The word *tarai* itself refers to “That strip of the Indo-Gangetic plain that abuts the foothills of the Himalaya and stretches over two thousand kilometers from the district of Naini Tal in northwestern Uttar Pradesh to Arunachal Pradesh in India’s far eastern corner...Within the

⁹²An ICG (2007) report notes, “Academia and the media have paid scant attention to Madhesi concerns. While the grievances of the hill ethnic groups did command some attention in the democratic interlude between 1990 and 2002, Madhesi issues were ignored. Human rights organisations did not take up the issue of discrimination against Madhesis either, while international development agencies preferred to focus on hill ethnic groups (*janajatis*)” (4).

national borders of Nepal, the tarai varies between a few kilometers in breadth to about fifty-three kilometers at its broadest” (Guneratne 2002: 20). The tarai is wet, swampy and, until recently, densely populated with forests of *sal* trees and, until modern times, the tarai was “an important and vital part of the civilization of northern India” (Guneratne 2002: 21).



Photo 4: Sunset on the tarai

Source: Author

More than 15% of Nepal’s territory is comprised of flat plain-lands. Nepal’s tarai stretches from the Mechi to the Mahakali⁹³, a length of nearly 900 kilometers. “According to the 1991 census, it is home to 46.7 percent of the country’s population (His Majesty’s Government 1993a: ii in Guneratne 2002: 24). As the land gently fans out from the Churia—the hills that diverge from

⁹³ The Mechi, in the east, and the Mahakali, in the west, are the rivers that demarcate the borders of the nation.

the Mahabharat range—the tarai becomes separated between the *inner tarai* and the tarai by the hills and ranges to the north. The inner tarai is comprised of the districts of Dang, Kapilvastu, Rupandehi, Nawalparasi, and Chitwan. The tarai is also further subdivided into the “western tarai” and “eastern tarai” according to its location on either side of the Bagmati river. The western tarai—which was only recovered from the British East India Company in 1860⁹⁴—is made up of the four districts of Kanchanpur, Kailali, Bardiya, and Banke. The eastern tarai—the region of this study—is “politically and economically the most important part of the Tarai region” (Guneratne 2002: 25). The eastern tarai is made up of eleven districts: Parsa, Bara, Rautahat, Sarlahi, Mahottari, Dhanusha, Siraha, Saptari, Sunsari, Morang, and Jhapa. The tarai is home to indigenous groups, “Madheshi” groups, and migrants from the hills.

Migration

“The problem of national integration vis-à-vis the tarai has arisen because people from one cultural background have migrated into a region over which people of another cultural background have established political control. Migration is an important topic in this study, because the movement of people, still in large numbers today, determines to a large extent the cultural composition of the tarai” (Gaige 1975: 58).

Migration into the Himalayas began around 1000 B.C. when Khasas moved south-east from western Eurasia. They were joined after AD 1000 by Rajputs—rulers from Rajasthan fleeing Muslim invaders. Many of the hill ethnic groups, it is widely believed, were settled before the Khasa migration though exact dates of their arrival are unknown. Migration was (and is) ongoing as Tibeto-Burman speaking peoples moved from the north (i.e. Sherpas), west (i.e. Tamangs, Gurungs), east (i.e. Rais and Limbus), and Arayan groups moved from the south (i.e.

⁹⁴ Nepal lost these districts during the Anglo-Nepal war which lasted from 1814-1816.

“Madheshis”). Muslims, too, migrated to the tarai⁹⁵. Frederick Gaige writes of this tarai migration:

People have been migrating into the tarai since the first Arayan tribesmen pushed eastward from the confluence of the Ganges and Jumna Rivers around 900 B.C. During the period 900 to 500 B.C. the Arayans penetrated into what is now northern Uttar Pradesh and Bihar, and the powerful kingdom of Videha was called Mithila⁹⁶, and it may have been located at the site of modern Janakpur in Mahottari-Dhanusha district of the eastern tarai (1975: 58).

Nepali speaking Sen kings from Palpa captured the tarai in a series of events between the fifteenth and seventeenth centuries, but they viewed the dense, malarial forests as a defense against Indian invasion and therefore did not encourage settlement (Gaige 1975: 59-60). The tarai at that time was largely home to Tharu peoples—an indigenous group thought to be immune to malaria⁹⁷.

As the Kingdom grew, its rulers became acutely aware of the need to increase production as a means of increasing revenue. The tarai region, particularly in the east, was—and is—a major area of cultivation (of rice and cash crops) and, as such, a chief site for revenue extraction. Additional revenue came from grazing fees levied on herders, the sale of timber, the capture and sale of elephants, and, of course, land taxes. Beginning in 1768, the state pursued an official policy of encouraging immigration from neighboring India in an effort to augment the labor force and increase production (Guneratne 2002: 28). Arjun Guneratne cites susceptibility to natural disasters, famine, low wages and high rents as push factors that “complemented the easy terms offered by the Rana state to attract tenants” (2002: 28). However, “The majority of the

⁹⁵ To date, there is very little academic work on the Muslims in Nepal.

⁹⁶ Importantly, the Ramayana mentions the Mithila Kingdom. King Janak ruled Mithila from Janakpur; King Janak’s daughter is Sita, Lord Rama’s wife.

⁹⁷ For more on the Tharu see Guneratne 1994, 1996, 1998, 2002; Krauskopff 1995, 2007; McDonough 1997.

cultivators brought into the tarai by the jimidars⁹⁸ were from India since the plains were an alien environment to most of the hill people, and the heat and endemic malaria made them particularly unwilling to remain there during the hot weather” (Whelpton 2005: 54).

In the 1860s Jung Bahadur Rana, founder of the Rana lineage, began to encourage hill peoples to settle in the region. These populations too suffered from lack of land, soil erosion, and deforestation in the hills. Yet, the move to the tarai as “push” factors were coupled by the incentives provided by the government—free or low-cost (cultivable) land to settlers⁹⁹. The earliest government sponsored settlement projects were in Morang and Nepalganj in 1883 and 1897; their primary purpose was the extraction of high-revenue-yielding timber; the cleared land was then allotted to individual settlers (Guneratne 2002: 31). During the 19th century the Ranas were more interested in revenue than identity, and they encouraged settlers to move from the south into the tarai with five and ten year tax breaks (Gellner 2007).

Perhaps the most dramatic demographic shifts occurred, however, in the mid to late 1950s. Malaria eradication campaigns led by the World Health Organization and USAID in the tarai created a more attractive environment for settlers. Arjun Guneratne writes,

From 1951 to 1960 conditions were created that encouraged the rapid settlement of the Tarai, on a scale hitherto unparalleled. These were the overthrow of the Rana regime in 1951, a land reform that brought almost all state land under control, the abolishing of corvee labor, and the protection of tenancy rights under the law (Ojha 1983: 27). In addition, a successful malaria eradication campaign was carried out from 1958 to the end of the 1960s. Considerable foreign aid has flowed into Nepal since the overthrow of the Ranas, and much of it has been concentrated on the development of the Tarai. The last

⁹⁸ Jimidars are landholders and, as such, sources of immense power—particularly in a frontier region where state power is comparatively weak.

⁹⁹ For more on planned resettlement in the tarai see Elder et. al 1998.

two factors, and the deteriorating environment in the hills, have prompted large-scale immigration of hill people into the Tarai (2002: 31).

By the 1960s, immigration policies changed again and Indian immigration was scaled back. According to Guneratne, “for reasons having to do with the definition of a Nepalese national identity and the suspicion with which the post-Rana state regarded Nepalese of Indian origin, the state restricted immigration” (Guneratne 2002: 28). Movement into Kathmandu from the tarai was likewise restricted; until 1958, anyone traveling to Kathmandu from the tarai was presumed to be Indian and was thus required to obtain a passport for entry into the Valley.

As Gaige argues in his 1975 study, Nepalization¹⁰⁰ was a force—planned or unplanned—that began to shape the social-cultural and political dimension of the tarai. Gaige notes the following in his study:

In terms of a changing cultural equation, the fact that the majority of hill migrants are from the upper castes and the majority of plains migrants from the lower castes serves to counterbalance the fact that the majority of all migrants are of plains origin. The caste ranking of migrants is an important determinant in the role they play in changing the economic, political, and cultural matrix of the tarai (1975: 74).

David Gellner notes that, more broadly, the dominant groups that spread throughout the country were landowners, priests, administrators, soldiers, and policemen and were Bahun (brahman) and Chetri (Kshatriya) castes¹⁰¹; associated lower castes went with them: kami (blacksmiths),

¹⁰⁰While many scholars choose to refer to nation-building in Nepal as “Hinduization” or “Sanskritization”, I prefer to use the term employed by Frederick Gaige, “Nepalization” for reasons of religion and language (1975). In the plains Hinduism is the dominant religion, making “Hinduization” a moot point. Additionally, “Nepalization” captures the importance of the specific ideological project of elevating Nepali to a dominant role.

¹⁰¹According to the Nepalese caste system, these are “higher” castes.

sarki (leather workers), and damai (tailors) (2007: 1823). These groups are collectively called parbatiyas or *pahadis* (hill people).

Further, hill migrants (pahadis) shared a cultural connection with the government officials in Kathmandu and those posted at the local level, allowing for significantly more capital and bargaining power. Gaige further writes,

The only publicly stated evidence that some people in Kathmandu endorse resettlement for political purposes appears occasionally in Kathmandu newspaper columns suggesting that Gurkha soldiers retired from the British, Indian, and Nepalese armies be settled along the border as a paramilitary force to prevent smuggling detrimental to Nepal and to prevent raids by bandit gangs from India. The Gurkhas, being hill people, are assumed to be more loyal to the government than others who might settle along the border....one newspaper...had charged that the main object of the government's policy to settle ex-servicemen and other hill people in the tarai during the past ten years has been to change the cultural composition of the population so that the plains people will find themselves in a minority (1975: 83).

Pahadis came to dominate local politics and the local economy as they were better educated, had greater access to jobs, and were financially more secure (IDA et. al 2011). The tarai, then, has indeed been a space shaped by movement. The migration patterns and settlement policies set in motion long ago have contemporary implications, as other chapters will show.

A Brief Political Anthropology of the Region

The Tarai and Religion

It is often thought, incorrectly, that Nepal is the bastion of Buddhism¹⁰²; it was, after all, the birthplace of the Lord Buddha¹⁰³. While there are certainly many practicing Buddhists (not to mention a host of other religious followers), the country was founded as the Hindu Kingdom of Nepal. Prithvi Narayn Shah founded his kingdom as *asal Hindustan* (“pure Hindustan”), a space reserved for “real” Hindus in contrast to the Hindustan conquered by the Mughals and then the British Christians. As such, the population of Nepal identifies as predominantly Hindu¹⁰⁴. Yet the Hinduism practiced by hill populations and that of the plains differs to some extent. While both worship the same gods they often do so in a different manner; for example when celebrating the same festivals, often those celebrations take place in the tarai a day or several days after their celebration in the hills. Typically, tarai Hinduism is of a more orthodox form than the hill variety which has mixed, over time, with Tibetan Buddhist traditions. Tarai Hinduism has, in fact, borrowed Muslim traditions such as purdah, contributing to the image that hill Nepalis carry of tarai Hindus as “strict and backward”¹⁰⁵ (Whelpton 2005).

¹⁰²This notion is largely circulated in tourism circles. David Gellner describes this phenomenon as well as something he calls the “Shangri-La” syndrome in his book *Resistance and the State* (2007). Gellner writes, “In the Western imagination and in the tourist literature that attempts to feed it, Nepal still stands for Shangri-La: an untouched, romantic, spiritually powerful, high-altitude backwater (2007: 4).”

¹⁰³While Lumbini, Buddha’s birthplace, falls within the boundaries of Nepal, the country—as it exists today—had not been formed in 563 B.C. The point was made clear in 2008 when a Bollywood film depicting Buddha’s birth in India caused riots in the streets of Nepal.

¹⁰⁴ While this is certainly true, it is hard to get an idea (and perhaps futile to even try) of the percentage of the population that are “Hindu” through a census. Mixtures of religion abound, particularly when one is trying to “pass” in a highly Hinduized and hierarchal system that characterized the government until the end of the 20th century.

¹⁰⁵ “Backwardness” is a relational concept that Nepalese use, in part, to discuss spaces of modernity and development. For more on this see Pigg (1992).

Muslim populations indeed account for a percentage of tarai inhabitants¹⁰⁶. The central tarai, in particular, has been home to the country's majority population of Muslims, particularly the districts of Kapilvastu and Rupandehi. Likewise, Buddhist hill ethnic groups have transplanted in parts of the tarai and Buddhism is claimed by Tharus throughout the tarai. In fact, some Tharu intellectuals today argue that Siddhartha Gautum Buddha was actually Tharu¹⁰⁷. Further, animistic beliefs prevail in many areas of the tarai, though many traditions have been lost over time to Hinduism's dominance¹⁰⁸. This is true for many of the country's religions, as they blend and meld, influencing one another over many years¹⁰⁹.

Tarai Caste System

Castes are "ethnic groups within a single society whose relations to each other are ordered in terms of a particular ideology of purity and pollution" (Guneratne 2002: 37). Castes are hierarchically ranked and include Brahmans, the highest caste groups, Chhetri, the second highest caste group, and several other lower-ranking caste groups (as noted in Table 3).

In the case of Nepal, the state has driven the definition of caste ideology and caste relations beginning in the nineteenth century. The aforementioned Muluki Ain was created with the intention of governing social relations within the Nepalese kingdom, where all social groups were equally called *jat* and ranked according to whether they wore the holy thread or were alcohol-drinkers. Under the Muluki Ain, Nepali-speaking hill dwelling Brahmans occupied the

¹⁰⁶ The 2011 Census lists the entire Muslim population of Nepal at 1,162, 370, or 0.04% of the total population of the country (Government of Nepal 2011).

¹⁰⁷ For more on this see Guneratne 2002.

¹⁰⁸ For a specific discussion of Limbu-Brahman relations in east Nepal, for example, see Caplan 1970.

¹⁰⁹ Though the dominance of hill Hinduism is still tangible. This statement is perhaps most true in communities that practice animism or Buddhism in the tarai.

highest place in law and society. Madhesi groups remained outside of the *Muluki Ain* and had their own complex caste system which was patterned more closely on that found in Bihar and Uttar Pradesh. In practice, where certain “ethnic groups”¹¹⁰ were concerned, those hill groups who had the longest contact with hill caste-Hindus (for example, Newars, Tamang), were ranked above “Madheshis”. This is explained through the state’s specific concentration on defining itself as a distinct entity, separate from India, where the unifying symbols of the state have been Nepali language and hill culture. The “Madheshis”, in the tarai, share significantly more linguistic and cultural ties with India than with hill Nepalese. Thus, it is clear to see the politics at play: those deemed more “politically important” (hill Brahmins and certain hill ethnic groups, though not all¹¹¹, were—and still are—considered to be comparatively more loyal to the state than their tarain counterparts) occupy higher status in the state’s legal code. Within these orders of subordination and domination we begin to see political competition within, between, and among groups (Guneratne 2002).

Tarai residents have their own caste system organized, like the hill system, according to perceived ritual purity, intermarriage, and the sharing of food and water¹¹². According to Gaige, there are a considerably greater number of plains castes than hill castes resulting in a more

¹¹⁰ I use the term “ethnic group” and not the typical ethnographic term “tribe” as a “tribe” carries with it connotations of primitiveness or, to a certain extent, a sense that it is completely separate and distinct from caste. In Nepal, “ethnic groups” and “castes” are overlapping and not mutually exclusive. Ethnicity in the tarai is more fully developed below.

¹¹¹ Many hill ethnic groups (*janajati*) have fought for decades against discrimination. Notably, since 1990 the Nepal Janajati Adivasi Mahasangh, or Nepal Association of Indigenous Nationalities (NEFIN), has been actively involved in working to secure equal representation, anti-discrimination laws, and fair treatment of janajati groups.

¹¹² “The Madhesi and *pahadi* caste systems are based on the same principle but are entirely separate and have been formally recognised as such since the development of Nepal’s first national legal code in 1854. Both theoretically encompass five categories: four *varnas* (major castes) – Brahmin, Kshatriya, Vaishya and Shudra – and non-caste, “untouchable” Dalits. In practice, however, the *pahadi* system has no Vaishyas and Shudras while the Madhesi system (like that of Kathmandu’s Newars) is fully elaborated” (ICG 2007d: 2).

complex social system—“at least partly the result of the more complex economic order that has developed on the plains over the last millennium, continually splitting occupational castes into more specialized categories” (1975: 19). Table six illustrates the major caste and ethnic divisions.

Table 6: Major Caste and Ethnic Divisions in Nepal¹¹³

1. Parbatiyas (Nepali speaking)		
Twice-born:	Brahmans Thakuris Chetris (formerly Khasas)	
Renouncers:	Dashnami Sayasis and Kanphata Yogis	
Untouchables:	Kamis (metal workers) Damais (tailors) Sarkis (cobblers)	
2. Newars (Newar or Nepali speaking)		
Entitled to full religious initiation:		
Brahmans	Vajracharyas/Shakyas	
Shresthas	Uray (Tuladhars, etc)	
Other pure castes:	Maharjans (Jyapus) Ekthariyas and other small groups	
Impure castes:	Khadgis (Kasais), Dyahlas (Podes), etc	
3. Other hill or mountain ethnic groups (speaking other Tibeto-Burman languages or Nepali)		
Magars	Limbus	Bhotiyas
Tamangs	Sherpas	Thakalis
Rais	Chepangs	Thamis
Gurungs	Sunuwars	
4. Madheshis (speaking north Indian dialects, including Awadhi, Bhojpuri, and Maithili)		
(a) Castes		
Twice born:	Brahmans Rajputs Kayasthas Rajbhats Baniyas (Vaishyas)	
Other pure castes		

¹¹³ This table was adapted from the 1991 census data and analysed by Harka Gurung and Mark Gaborieau and found in Whelpton 2005.

	Yadavs/Ahirs (herdsmen)
	Kushawahas (vegetable growers)
	Kurmis (cultivators)
	Mallahs (fisherman)
	Kewats (fisherman)
	Kumhars (potters)
	Halwais (confectioners)
Impure, but touchable:	Kalawars (brewers/merchants)
	Dhobis (washermen)
	Telis (oil-pressers)
Untouchable:	Chamars (leather-worker)
	Dushadhs (basket-makers)
	Khatawes (laborers)
	Musahars (laborers)
(b) Ethnic groups	
Inner Tarai:	Kumals
	Majhis
	Danuwars
	Darais
Tarai proper:	Tharus
	Dhanukas
	Rajbanshis
	Gangais
	Dhimals
(c) Muslims	
(d) Marwaris	
(e) Sikhs	

Source: Whelpton 2005

Table seven, below, represents the population of caste/ethnic groups according to the 2001 census.

Table 7: Population of Major Ethnic and Caste Groups, 2001

Group	Population	Percent
Caste hill Hindu elite (Bahuns and Chhetris)	7,023,220	30.89
Indigenous Nationalities	8,271,975	36.31
Mountain	190,107	.82
Hill	6,038,506	26.51
Inner Tarai	251,117	1.11
Tarai	1,786,986	7.85
Unidentified indigenous nationalities	5,259	.02
Dalits	3,233,488	14.99
Hill Dalits	1,611,135	7.09
Madheshi Dalits	1,622,313	6.74
Unidentified Dalits	88,338	.76
Madheshi*	3,778,136	16.59
Caste Madheshi	2,802,187	12.30
Muslim	971,056	4.27
Curaute Muslims	4,893	.02
Others	265,721	1.16
Total	22,736,556	100.00
Note: *Muslims are counted as Madheshis.		

Source: Hangen 2010

According to the 2001 census, Bahun and Chetri groups represent 30.89% of the country's population while Janajati, Madheshi, and Dalit groups combined represented 67.89% of Nepal's total population.

Tarai and Language

There are three main languages spoken in the whole of the tarai: Awadhi, Bhojpuri, and Maithili. In Nepal, Maithili¹¹⁴ constitutes the largest number of speakers after Nepali. Additionally, Hindi and Urdu are widely used as “bridge” languages¹¹⁵, much like the use of Nepali¹¹⁶ in the hills—it was a unifying language where, from village to village, dialects and languages differed.

¹¹⁴ Whelpton notes that in the seventeenth century the literary language used in the courts was Maithili (2005: 33).

¹¹⁵ It is a heated debate whether or not Hindi is classified as a “mother tongue” for residents of the tarai or a “bridge language”. Regardless of its primacy, it is used extensively in business and trading (especially across the border in

Upon the end of Rana rule in 1951, schools began to spring up in the tarai¹¹⁷ and the medium of instruction remained linguistically localized. According to Frederick Gaige, few Nepali-speaking teachers (from the hills) settled in the tarai, leaving plains communities without adequate instructors¹¹⁸ and having to search for them, instead, in Bihar and Uttar Pradesh (1975). This initiated a language debate as it brought into sharp focus the aggressive nationalist agenda¹¹⁹ to be achieved through schooling¹²⁰. This debate would ebb and flow until the present day. The “central government’s efforts to remove Hindi’s public role in Nepal was therefore seen as an attack on tarai inhabitants’ cultural identity. In contrast, hill intellectuals saw the primacy of Nepali throughout the country as vital to their own national identity” (Whelpton 2005: 186). Hindi has always been viewed in Kathmandu as a foreign language—specifically the language of India—and therefore, it has been taken as a distinctly anti-state gesture to speak Hindi in lieu of Nepali¹²¹.

Still, political parties pushed for Hindi language to become a nationally recognized language. In the 1959 national elections the Tarai Congress campaigned for both Hindi and Nepali to be recognized as national languages; however, Nepali still prevails. Sections below discuss politics in the tarai.

India) and when traveling across the region where different languages and dialects are widely spoken. Hindi is also the medium of entertainment as a result of Bollywood films and Hindi songs which flood the market.

¹¹⁶ Descendants from the Khasas, the rulers of Nepal were the original Nepali-speakers. An Indo-Aryan language, Nepali evolved as the Khasas migrated southeast into the hills from western Eurasia. “Pure” Nepali is often referred to as “Khas” Nepali.

¹¹⁷ During the Rana period, schools were not permitted to open or operate.

¹¹⁸ Few qualified teachers existed in Nepal’s tarai (Gaige 1975).

¹¹⁹ For a detailed discussion of Nepali language in establishing national unity, see Bandhu 1989.

¹²⁰ In 1958 the K.I. Singh government “ordered all schools to use Nepali as the medium of instruction... ordered all teachers demonstrate within two years their ability to use Nepali for instructional purposes, and also ordered all teachers to provide evidence of Nepali citizenship within six months” (Gaige 1975: 112).

¹²¹ This issue would re-appear in 2007 as Vice President Pramananda Jha took his oath of office in Hindi, rather than Nepali. The issue was revived in 2008. See chapter seven.

Tarai Economy and Politics

Nepal's greatest economic tie is with India. Nepal's major lines of transportation and communication—the supply of commodities such as gasoline, grains, and clothing—come from, or through, India via the tarai. While it played a minor economic role in the broader Indian economy, the tarai was economically essential to the Nepalese state. Throughout history, Nepalese kings have noted the strategic economic importance of the tarai ever since the time of Prithvi Narayan Shah. So, too, did the British. The Anglo-Nepalese war was fought between 1814 and 1816 when the British East India Company effectively took control of the entire tarai. Their hope was to cripple the government by taking away Kathmandu's source of revenue.

Developments in transportation also led to dramatic changes in the tarai. “The last part of the nineteenth century saw the development of rail transport in northern India, and inevitably this had an impact on the Nepal tarai. The northern India market became accessible to raw materials from the Tarai such as rocks (for construction) and timber, and agricultural development was enhanced” (Guneratne 2002: 31). This, in turn, led to the establishment of industry in the region. In Biratnagar in the late 1930s and early 1940s, mills were being established to process jute, rice, cotton, and sugar.

Today, the tarai contributes over two-thirds of the country's GDP (ICG 2007d)¹²². Yet, large sections of the Madheshi population migrate abroad and the local economy relies heavily on remittances (ICG 2007d). ICG's 2007 report describes the economic stratification found in

¹²² However, the same ICG report notes that “the east-west highway, a vital transport artery, does not link even one Tarai district headquarter directly –all are on poor feeder roads” (2007d4).

present day Madhesi communities in light of the ways that Madhesis experience economic and political discrimination:

Some Madhesis have profited from their large landholdings; others have benefited from high educational qualifications to enter academic positions in Kathmandu and elsewhere. The experience and form of discrimination can vary according to class. For example, a middle-class Madhesi professional may face subtle insinuations about his national loyalties and find it hard to rise above a certain level but a lower-class Madhesi will find it hard to get basic access to opportunities and may receive lower wages than his co-workers; similarly, middle-class Madhesis with property or other interests in Kathmandu have a more positive view of the advantages of retaining an integrated state (2007d: 3).

Along with economic trade, India has also helped to cultivate political actors vying for power and influence in Nepal. The tarai has, historically, “been the stage for anti-government political activity, stimulated by dissident groups of Nepalis operating from across the border in India” (Gaige 1975: 2). Nepalese politicians were often educated in Indian universities (especially in Benares). While at university they were afforded opportunities to join student unions and political parties. They were eyewitness to the “Quit India” movement and to Gandhian principles of action. Without a doubt, these were key elements in shaping the future of Nepalese politics. And, with the open border, India offered sanctuary for political activists. With this background, oppositional political parties began to form in India (most importantly Nepali Congress) and the anti-Rana movement was born.

Historically, the most important party in the tarai has been the Nepali Congress. Built largely under the leadership of the Koirala family (whose home is in the eastern town of Biratnagar), the Nepali Congress has been a major political force in the region and, more broadly of course, in the country. The communists, too, found a base in the tarai and their Naxalite neighbors helped to groom politicians in the 1960s. As Gellner (2007) notes, the Nepali Congress treated the tarai

as a vote bank “without ever offering proportionate leadership positions to Madheshis” (1828).

As such, Madheshis

make a strong case that they have been systematically under-represented in the electoral system: (i) the number of parliamentary seats in the Tarai does not reflect its population; (ii) constituencies have been delimited to dilute the Madhesi vote (many on a north-south strip pattern that introduces a sizeable hill electorate); and (iii) a disproportionate number of pahadis are selected by the main parties for their most winnable seats (in the 1999 elections, pahadi candidates won a majority of Tarai seats) (ICG 2007d: 5).

Earlier, regional-based parties, such as Tarai Congress campaigned on language issues, as mentioned above. However, as other national political parties evolved they absorbed into their campaigns the language issues that were the sole platform of parties like Tarai Congress and, eventually, they faded away. However, beginning in the 1990s political parties specifically catering to tarai interests sprung up—with more success. The Sadbhavana Party (NSP) in Nepal’s tarai was created in the wake of the 1990 People’s Movement to challenge the domination of Nepali-speaking hill dwellers. According to John Whelpton, (hill) Brahmans, Chetris and Newars accounted for “90 percent of the section officers in the civil service in 1989 and for 81 percent of the teaching posts in Tribhuvan University in 1990” (2005: 185). Gellner (2007) also notes that of the leaders of the judiciary, civil service, trade unions, etc., “bahuns and Chetris together¹²³—just 31 percent of the population—had two-thirds of the jobs, whereas hill janajatis (i.e. excluding Newars and Tharus), with 22 percent of the population had just 7 percent of the jobs, and Madheshis, with 31 percent of the population had only 11 percent of the jobs” (1825). Key NSP demands have been reformed citizenship laws; official recognition for Hindi; a

¹²³ However, Gellner does not distinguish between hill Bahun-Chetri and Madeshi Bbahun-Chetri.

federal system; and greater Madhesi representation in the civil service and security forces (ICG 2007d: 7).

However, in the 1991 elections Sadbhavana garnered less support than other national parties (though they did gain six seats in the election). “Other, smaller scale loyalties were usually more important than any pan-Tarai solidarity” (Whelpton 2005: 187). Micro-political matters at the village level often determine political election outcomes more so than ideology. Protection and patronage offered by local political leaders far outweigh global or utopian goals of “socialism” or “democratic liberalism”. There was, of course, also the matter of criminality and corruption.

Since political campaigns were to some extent financed and run on criminal lines it was not surprising that regular criminals were drawn into the nexus. This had long been a problem in Indian politics, particularly in the state of Bihar bordering the eastern Tarai, and talk of the ‘Biharization’ of Nepalese politics became commonplace during the 1990s (Whelpton 2005: 202).

John Whelpton refers to this phenomenon as “integrative corruption” (2005: 178)—corruption that helps to bind individuals and groups into lasting alliances. But, regional or ethnic ties present another dimension of the political sphere. Whelpton notes of electoral reform in Nepal, “direct elections meant that candidates for Tarai seats no longer needed to secure the votes of hill district representatives in their *anchal* (zone). This enabled more members of the Tarai middle-ranking castes, in particular the Yadavs, to secure election” (Whelpton 2005: 110).

Caste politics had long been a feature of Indian politics, particularly in Bihar, and Nepalese politicians began to fear a creeping “Biharization” within Nepal. But caste politics plays an important role in tarai politics: “during elections in 1959 and more so through the 1990s, caste

was significant for both selecting Madhesi candidates and determining voting patterns” (ICG 2007d: 6)¹²⁴.

Finally, the Maoists have had a tremendous effect on local level politics in the tarai. The Maoists had long been aware of ethnic differences and strategically utilized this in their drive for recruitment and support in places around the country. As ICG’s 2010 report notes, “The reason the Maoists were – and remain – important is that they represented an existential challenge to the state and the political system. No other movement has presented a systematic and fundamental challenge of this nature” (2010: 6). Successive governments had done little to address the marginalization of lower castes, indigenous groups, and other ethnic minorities. In particular, Maoists spoke to ethnic grievances felt by large swathes of the population. Kristine Eck writes,

Ethnic communities, which constitute 35% of the population, have long-standing grievances based on their historical exclusion from power. Under representation in policy-making, exclusionary language laws, and Hindu chauvinism are some of the concerns expressed by various ethnic groups; likewise, there is a widespread perception that ethnic groups experienced higher levels of poverty. Seeking to take advantage of this situation, the Maoist leadership deliberately targeted ethnic groups, hoping to capitalize on their discontent (2007: 9).

Moreover, the Maoists

raised ethnic issues with more force than any of the mainstream political parties. Shortly before launching the People’s War in 1996, the Maoists incorporated into their platform many of the issues that the indigenous nationalities movement had voiced: they vowed to end high-caste Hindu political dominance, demanded a secular state and language rights, and declared that ethnic groups should have the right to self-determination. Later, the Maoists announced plans to form nine autonomous regions in Nepal that would give ethnic groups the right to self-determination and secession (Hangen 2007: 37).

¹²⁴ ICG’s interview with a CPN-UML leader in 2007 noted, “It all boils down to caste. For example, Yadavs, across parties, will coalesce if there is a Yadav candidate in the fray, not only in parliamentary but also civic association elections. The non-Yadav castes form another silent front with the sole aim of ensuring the victory of a non-Yadav” (2007d: 6).

Recognizing the importance of creating a regional front to support its aims, the Maoists cultivated grievances, such as those described above, and put into motion new rhetoric of belonging while militarizing identity politics through new national fronts. A 2007 ICG report explains:

The Maoists established a Madhesi Rashtriya Mukti Morcha (Madhesi National Liberation Front, MRMM) in 2000 in Siliguri, India, under the leadership of Jai Krishna Goit. This was part of their strategy to tap into identity politics and win support among excluded communities. While MRMM leaders say the goal is an autonomous and discrimination-free Madhes, its true role is largely subordinate: supporting the CPN(M) by providing a regional front, developing locally popular policies, recruiting and organising. The Maoists emphasise the Madhes's difference from the hills in terms of social structure and production relations and also stress that its problems stem from both *pahadi*, ruling-class policies and Madhesi's own exploitative feudal and caste structures¹²⁵, (2007d: 7).

These strategies and rhetorical templates retained their importance in the postconflict context. As later chapters will demonstrate, discussions around ethnicity, belonging, and territory became even more salient with the debate around ethnofederalism and the rise of non-state armed groups in the central-eastern tarai.

Conclusion

This chapter outlined a history and political anthropology of the tarai through a discussion of geography, migration, caste, language, economy, and politics. The focus, in this chapter, on the borderlands of the central-eastern tarai provides a specific focus on the socio-political factors that have shaped the region. Taken in combination with chapter three, the historical and political context provided situates the arguments made in subsequent chapters. Specifically, such context helps to answer the research questions set out in the introduction: how do conflict actors and civilians understand and experience violent conflict after the signing of the Comprehensive

¹²⁵ This is discussed in greater detail in later sections.

Peace Agreement? The following chapter works in concert with this chapter to provide an analytical framework for examining the phenomenon, and perception, of violence in the central-eastern tarai between 2007 and 2009.

CHAPTER FIVE

Borderlands and Belonging

This thesis asks how local level postconflict violence is understood and experienced by conflict actors and civilians in the central-eastern tarai region of Nepal, a space which marks multiple boundaries for the nation. As such, this study is concerned with borderlands as an analytical frame. This focus shifts away from state-centric or a “centers of power” approach and instead recognizes borderlands as complex and dynamic entities in their own right. In opposition to narratives of deterritorialization and the fading notion of state borders in shaping identity (Appadurai 1990), I argue here that the notion of borders and boundaries are markers of power that shape identity and social relations. Identity, belonging, and the state are closely linked. This chapter specifically seeks to contextualize the ways in which the borderland space of the central-eastern tarai has been, and continues to be, constructed in Nepal. Furthermore, it explores the relationship between borders and belonging. This close examination allows for a greater understanding of the role that these concepts play in the persistence of violent conflict in the post-CPA environment in the central-eastern tarai. This chapter outlines the conceptual tools used to analyze the narratives and perspectives of local level actors in explaining continued violence in the central-eastern tarai. The first part of this chapter focuses on the role of borders in the Nepal nation. An examination of borders is critical, not only because they are the site of violence in this study, but because of their historical context and the role that they play in drawing socio-political borders as well as geographic ones. The second part of this chapter examines the concept of belonging in Nepal and, specifically, belonging in the central-eastern tarai. Taken together, these two concepts, borderlands and belonging, have helped to shape mobilizing rhetoric used by non-state armed groups in the central-eastern tarai, as will be demonstrated in later chapters.

The Social Construction of Space

The examination of borderlands in this thesis demands that an overarching framework of space be established. This project, therefore, subscribes to the notion that space has meaning beyond geographical divisions and that it is imbued with social meaning. Akhil Gupta and James Ferguson write that, “the experience of space is always socially constructed. The more urgent task...is to politicize this uncontested observation...how are spatial meanings established? Who has the power to make places of spaces? Who contests this? What is at stake?” (Gupta and Ferguson 1992: 11). These questions are important ones to ask in “postconflict” Nepal, where the construction of space—those real, physical boundaries as well as symbolic and moral destinations—have re-formed, re-envisioned, and re-worked social relationships in specific places. An interrogation of space, therefore, opens up ways of understanding the political work that such constructions have done in postconflict Nepal.

The works of Edward Soja (1996) and Doreen Massey (1992; 2005) are critical for engaging with a politics of space. Both Massey and Soja’s theorization of ‘space’ argues for their importance in both everyday life and the wider politics of how both space and place are conceptualized. Both authors assert that spaces are open, multiple, and always in process. Massey and Soja’s insistence on the dynamism of space, the centrality of spatiality in society and social constructions, and the possibilities for politics arising from space undergird the analytical framework and shape the original theoretical approach presented here.

Edward Soja’s notion of “thirdspace” bolsters the analytical frame of the thesis. Soja writes, “social reality is not just coincidentally spatial, existing “in” space, it is presuppositionally and

ontologically spatial. *There is no unspatialized social reality*. There are no aspatial social processes” (1996: 46). Soja argues for “Thirdspace” and provides a framework through which we can engage with differing conceptions of “space”. He makes the following distinctions:

1. Firstspace: the concrete materiality of spatial forms;
2. Secondspace: ideas about space
3. Thirdspace: everything in between (1996: 53-82).

For Soja, “Everything comes together in Thirdspace: subjectivity and objectivity, the abstract and the concrete, the real and the imagined, the knowable and the unimaginable, the repetitive and the differential, structure and agency, mind and body, consciousness and the unconscious, the disciplined and the transdisciplinary, everyday life and unending history” (1996:56-57). These three moments of social space contain: spatial practice (perceived space); representations of space (conceived space); spaces of representation (lived space) (Soja 1996: 65) and “in Thirdspace these three moments contain each other and are...simultaneously historical, social, and spatial (Soja 1996: 73). “Everything” occurs in space, not merely incidentally but as a vital part of lived experience, as part of the (social) production of (social) space, the construction of individual and societal spatialities (Soja 1996:46). In the words of Massey, “the social is inexorably also spatial” (1992: 80).

For Massey, society is constructed spatially and that fact makes a difference to how it works (Massey 1992: 70). Moreover, if spatial organization makes a difference to society, in terms of how it works and changes, then rather than being “stasis”, space is implicated in the production of history and thus, potentially, politics (Massey 1992: 70). In other words, the spatial is integral to the production of history and politics; space and time are inseparable phenomena and, as such,

are constituted by one another (Massey 1992). This thesis takes the position that all space is constructed; space and spatial relationships should always be considered “in terms of processes of change, and of landscapes as always *in the process of becoming* rather than temporally fixed spaces” (Rajaram and Grundy-Warr 2007: xxiv, italics in original). These approaches are, therefore, suited to the study of perceptions and experiences of violence in a particular time and place, that of the central-eastern tarai during the ‘postconflict’ period of 2007-2009.

Utilizing these perspectives allows for an interrogation of how space, as a social construct, can become politicized. Specifically, as this thesis will show, in the central-eastern tarai, the historical and everyday experience of living in the borderlands has shaped the way people relate to the state and society outside of the tarai. As such, proposed social and political (re)configurations of administrative divisions have an acute impact on local lives. Lines on a map are invested with socio-political meaning: in the case of ethnofederalism, such lines determine not only the (ethnic) content of a province, but how (and how much) they are represented in national politics and, moreover, to what extent the province is granted autonomy. This thesis explores how the specific proposal of ethnofederalism has exacerbated notions of belonging in the central eastern-tarai. In the case of non-state armed groups, the rhetoric of belonging has been the linchpin of mobilization and activism, as will be discussed in later chapters.

Borderlands and Belonging

Borders and Boundaries

Borderlands are spaces of boundary-making, both in a geographic and socio-political sense. In a cognitive sense, boundaries represent the point at which “we” end and “they” begin (Migdal

2004: 5), a mental process which yields significant material effects (Goodhand 2008: 225). It is useful, then, in discussing borderlands, to note that several types of borderlands exist. Classical borderlands represent spaces that straddle an international border while internal borderlands, typically, do not; however, internal borderlands are non-state spaces characterized by weak state penetration due to physical dimensions such as mountainous terrain, deserts, or jungle (Goodhand 2008; Scott 2009). Prior to the modern state period, imperial powers viewed frontiers as zones of transition between competing centers of power (Goodhand 2008: 226). Frontiers denoted where the settled, civilized world ended and the unsettled, “unruly”, barbaric world began (Geiger 2008; Goodhand 2008). Imperial frontiers eventually gave way to modern nation-states and new boundaries were mapped onto existing socio-cultural spaces that were not always congruent with their new state spaces.

Recent scholarship has opened up new ways of thinking about “borderlands”. In particular, James C. Scott’s 2009 book, “The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia” has attracted considerable scholarly attention. Scott argues that, in opposition to accepting “civilizational” narratives which describe how a “backward, naïve, and perhaps barbaric people are gradually incorporated into an advanced, superior, and more prosperous society and culture” (2009: 8), a deeper and more nuanced focus on the relationship between center and periphery is essential to understanding the evolution of the state and state effects on its people. He argues that “the dialectic or coevolution of the hill and valley [center and periphery], as antagonistic but deeply connected spaces is...the essential point of departure for making sense of historical change” (16). In this work, Scott introduces “Zomia” as an analytical

tool used to broadly represent a marginal, heterogeneous, hybrid, “non-state” space which is both a space of political resistance and cultural refusal (2009: 20).

As argued elsewhere (Shneiderman 2010), the *term* Zomia may not map onto the Himalayan Massif¹²⁶ for several reasons (historical, political, empirical) yet Scott’s analytical frame could be useful for the broader Himalayan region, and for this study in particular. As Shneiderman points out, there has long been a focus within Himalayan studies on highland peripheries, yet, Scott’s analytical framework provides a new opportunity for “a more contemporary concern for the political history of national formations and their ‘state effects’” (2009: 291). Shneiderman (2009) reminds us that in the Himalayas, and especially in Nepal, early and important studies focused not on the state, as has occurred in Southeast Asian studies, but on ethnographies of highland peoples with little reference to those peoples’ relationship with the state¹²⁷, constructing their stories in a historical and political vacuum (Des Chene 2007) and rendering those spaces timeless and apolitical.

It is important to note that in his study of Southeast Asia, Scott argues that Zomia existed only until 1950, when modern states “enclosed” highland, marginal, populations with “distance destroying” technologies such as roads, bridges, and communications. This thesis, however,

¹²⁶ Shneiderman defines the “Himalayan Massif” as such: Nepal, Bhutan, India (especially but not exclusively the states of Jammu and Kashmir, Himachal Pradesh, Uttaranchal, Sikkim, and Arunachal Pradesh), and China (especially but not exclusively the Tibetan Autonomous Region” (2010: 290).

¹²⁷ Shneiderman notes, also, that, while the Western anthropological agenda examined, almost exclusively, highland peoples perceived to have no political relationship with the state, Nepali historians and researchers *did* focus on the Nepali nation-state, though it has “been poorly integrated into the anthropological writing on the peoples and cultures of the region” (2009: 296). Most research on politics in Nepal, however, has been centered on Kathmandu, though some studies have examined questions of politics in rural Nepal (for example, Gellner, Pfaff-Czarnecka and Whelpton 1997; Gellner 2003; Hangen 2010).

points out that Zomia-thinking might still appear, albeit in a different form, in contemporary Nepal. Zomia-thinking, at its base, presents a dialectical relationship between the state and “its” people. The analytical frame of Zomia is useful in its recognition that “state effects” have been a powerful force in shaping identities in Nepal, particularly in the tarai. Congruent with Scott’s argument regarding the dialectical nature of center and periphery, Des Chene (2007) further argues that a major feature of Nepali history has been “the assertion of a civilizational discourse emanating from the ‘core state’ in the hills, which sought to locate both mountain and plains populations as backwards people, in need of modernization, education, and assimilation to a national culture and language” (in Shneiderman 2010: 302). However, rather than provoking “dissimilation”, as Scott argues, such “state effects” have led to a yearning to be embraced by the state, specifically in the case of activist groups in the central-eastern tarai, as will be discussed in later chapters.

While Zomia-thinking, for Scott and for Shneiderman, means state evasion, today, in central-eastern Nepal, discourses around historical state-marginalization and perceived neglect have fostered demands of state embrace. So, while for groups like the Hmong, as Scott points out, stories of escape have been sources of pride and have undergirded the continued practice of state evasion, in the central-eastern tarai, groups are uniting historical narratives of their own non-state spaces¹²⁸ with contemporary political-administrative imperatives to *join* into the state in specific ways. This thesis, therefore, explores the ways in which the relationship between the state and groups like Madheshi activists based in the central-eastern tarai has shaped forms of ethnic consciousness and forms of, in this project, violent political agency. The next section discusses

¹²⁸ For example, the requirement that travelers from the tarai and other areas outside of Kathmandu present citizenship cards upon entering the Valley.

the ways in which belonging is constructed, a theme which undercuts the narratives of local civilians and non-state armed groups in the remainder of the thesis.

Belonging

“The tarai is the badlands of India”- remark made by a leading Nepali intellectual at a public lecture in Kathmandu in November 2008.

National landscapes are “constructed, both physically and semantically, to lend a particular sense of belonging” (Rajaram and Grundy-Warr 2007: xxv). Belonging, writes Yuval-Davis (2011) “is about emotional attachment, about feeling at home, and...about feeling safe” (10). Migdal argues that belonging has both an instrumental element, in that people personally invest in alliances and social groupings that protect and police the group’s boundaries, and an affective element, that of identity (2004:15). But it is the affective elements associated with identity that “bind people together in ways [that transcend] their material and instrumental interests” Migdal asserts (2004:15).

Ethnicity, as will be discussed below, is but one form of expressing “commonality” and, as such, notions of identity and belonging overlap. As Joanna Pfaff-Czarnecka and Gerard Toffin point out, a focus on identity alone places emphasis on the individual while a focus on “collective identity” raises questions about the extent to which an individual actually ‘buys into’ such an identity (2011). Belonging and identity, however, are closely intertwined: an individual may identify with a particular marker but not feel that they fully belong; alternatively, a person may feel that he or she belongs to or is accepted by a group but may not completely identify with it (Pfaff-Czarnecka and Toffin 2011). Ethnicity can be both a category, imposed by outsiders, and a group, embraced by its members (Wimmer 2008). Belonging, therefore, encompasses notions

of identity and ethnicity in that belonging is premised on ideas of inclusion and exclusion. The concept of belonging offers a way of understanding not just formal but informal and fluid “we-group” constructions (Pfaff-Czarnecka and Toffin 2011: xi).

Boundaries are therefore central to the construction of “insiders” and “outsiders”, “Us” and “Them”. Andreas Wimmer’s (2008) discussion of boundaries offers a useful tool in exploring notions of belonging. Wimmer writes:

A boundary displays both a categorical and a social or behavioral dimension. The former refers to acts of social classification and collective representation; the latter to everyday networks of relationships that result from individual acts of connecting and distancing. On the individual level, the categorical and the behavioral aspects appear as two cognitive schemes. One divides the social world into social groups—into “us” and “them”—and the other offers scripts of action—how to relate to individuals classified as “us” and “them” under given circumstances (2008: 975).

Cognitive boundaries are based on an exclusive sense of belonging; they are constructed through processes of defining and maintaining who belongs to a group and who does not (Bhabra 2006). Furthermore, the complex relationships between the state and society produce a politics of belonging in negotiations around inclusion, exclusion, and boundaries (Migdal 2004). Joel Migdal (2004) writes of *checkpoints* and *mental maps*, those markers that separate who is included in a group and who is not (7). The questions then become: what makes a person feel like an insider or an outsider; how are identities mobilized to create a sense of ‘belonging’ in a particular group; at what point do individuals feel that they ‘belong’ to a group in which they desire membership (Pfaff-Czarnecka and Toffin 2011)?

As Pfaff-Czarnecka and Toffin write, “Given the overpowering strength of political boundary-making, legal limits, and identity assertions, a tacit sense of belonging is increasingly giving way to explicit demonstrations of social boundedness. This is precisely one of the reasons why belonging cannot be fully grasped without taking identity constructions into account. Like identity, belonging relies upon collective boundary-constructions (2011: xviii). The ‘politics of belonging’, then, is conceived of as a political project. Nira Yuval-Davis writes that the politics of belonging, as a project, is aimed at “constructing belonging in particular ways to particular collectivities that are, at the same time, themselves being constructed by these projects in very particular ways” (2006: 197). It is the threat of the other, real or perceived, which leads to the politicization of belonging (Pandey 2011). Furthermore, while different actors struggle to both maintain and oppose the status quo, actors in the latter category often work to homogenize a collectivity. Yuval-Davis writes that, “such political agents struggle both for the promotion of their specific projects in the construction of their collectivity and its boundaries and, at the same time, use these ideologies and projects in order to promote their own power positions within and outside the collectivity” (2006: 205). Actors that struggle against a homogenizing national socio-cultural narrative attempt to construct distinct identities that are separate from, and in opposition to, the dominant community; demands for political rights are justified in the name of protecting the identity of the non-dominant community (Pandey 2011: 100). As the narratives in chapters eight and nine will demonstrate, the process of constructing a homogenous ethnic category became central to non-state armed groups in the ‘postconflict’ period.

Ethnicity

Ethnicity is one marker of collective identity, and, in the central-eastern tarai, discussions around ethnicity have become highly politicized. Ethnicity has therefore become a marker of “insider”

and “outsider”, though as later chapters will demonstrate such distinctions are being re-negotiated and re-formed in postconflict Nepal and ethnicity itself defies easy categorization. Because rhetoric around ethnicity is central to mobilization around non-state armed group cries of “ek Madhesh, ek Pradesh”, it is important to discuss how ethnicity is understood in this thesis.

According to Weber (1978), ethnicity refers to a sense of common descent, history, fate, and culture with language, physical appearance, and regulation of life (i.e. religion) as distinct markers. Horowitz (1985) added that such social groups must “transcend face to face relationships”. But what makes ethnicity important? Hale (2004; 2008) writes that factors such as communication, visible differences, ethnic symbols, and exogenous factors play a role in crafting ethnicity as a powerful “rule of thumb”, or shorthand, for recognizing and responding to the variety of social relationships surrounding an individual¹²⁹. For Hale, “rules of thumb” help people to determine social categories; for example, where easily perceptible categories coincide with other, more complicated social categories, the simpler, more obvious one serves as a “rule of thumb” for determining which group a person might belong to (Hale 2008: 37). When ethnic divides (i.e. language or skin color differences) can “become focal points around which people coordinate their actions in pursuit of a wide variety of goods” (Hale 2008: 45), the thickness of ethnicity, rather than age or gender, becomes a “rule of thumb” for social interaction.

This project follows from Henry Hale’s conception of ethnicity as “one means of making sense of an impossibly complex social world so that [people] can successfully navigate it” (2008: 2). This means that, rather than seeing ethnicity as “primordial” or “constructed”, this thesis adopts

¹²⁹ Migdal (2004) also refers to these tools as virtual checkpoints and boundary markers.

Hale's (2008) theory of ethnicity as relational. Such a theory opens the way for a nuanced understanding of why identity is important and how it can become a powerful social and political tool. Identity, therefore, should be understood as "the set of points of personal reference on which people rely to navigate the social world they inhabit, to make sense of the myriad constellations of social relationships that they encounter, to discern one's place in these constellations and to understand the opportunities for action in this context" (Hale 2004: 8).

Within the literature on ethnicity, two broad analytic frames exist: primordialism, or essentialism, and constructivism. Primordialists primarily believe that ethnic groups are unitary, natural, timeless and enduring, whereas constructivists see ethnic identity as being socially constructed, fluid, and dynamic rather than permanent and unchanging. Constructivists have also been called instrumentalists since some believe that identities can be multiple and identification can shift depending on social, political, or economic processes (i.e. Chandra 2001).

Underpinning primordialist theories is the belief that ethnic identity is rooted in fundamental human desires for dignity, self-esteem, and/or belonging and those values are realized through determining difference between groups (Hale 2008: 16). Psychological work by Erikson (1967) and Tajfel (1982) argues that humans are driven by self-esteem and, through joining a group, that self-esteem can be raised. Groups, according to Social Identity Theory (Tajfel 1974, Tajfel and Turner 1979), act to elevate the value of one's own group while ascribing negative value to others; in other words, groups strive to gain or maintain positive social identities, thereby raising their self-worth or self-esteem.

For primordialists, groups tend toward conflict (either violent or non-violent). As Brubaker (2004) notes, primordialist explanations tend to dominate “commonsense” views of ethnicity and ethnic conflict and have been reified by analysts and academics. For example, a common understanding of ethnic conflict is that it revolves around conflict between ethnic groups. Arguing that “groupness” is a variable and not a constant, Brubaker (2004) writes that ethnic conflict should not be centered on ethnic groups since ethnicity does not require “groupness”; rather, ethnicity works “not only, or even especially, in and through bounded groups, but in and through categories, schemas, encounters, identifications, languages, stories, institutions, organizations, networks, and events” (4) and might wax and wane over time “peaking during exceptional-but unsustainable-moments of collective effervescence” (4).

In contrast to primordial theories, constructivist theories posit that ethnicity is simply a matter of consciousness and people “belong to an ethnic group when they believe they belong to an ethnic group” (Hale 2008: 22). Constructivists posit that ethnicity itself has no intrinsic value; rather, ethnicity is a function of other pursuits, “as means by which people struggle for more mundane goods like power, material resources, security, or status” (Hale 2008: 25). In other words, theorists argue that ethnicity is simply a tool, a master narrative, used in a strategy of elite manipulation. Scholars such as Paul Brass (1997), for example, argue that politicians utilize the symbols and narratives of ethnicity that invoke violence (in his example, Hindu-Muslim riots) to serve their own purposes; for Brass, communal conflict is not inevitable but rather the result of political elites and networks that work to work “to keep a town or city in a permanent state of awareness of Hindu-Muslim relationships” (1997: 284).

However, such a view of ethnicity fails to account for such external factors as institutional arrangements or historical context. The work of Rogers Brubaker offers a counter argument to what he calls “cliched constructivism” (2004). Brubaker writes that ethnicity,

should be conceptualized not as substances or things or entities or organisms or collective individuals—as the imagery of discrete, concrete, tangible, bounded, and enduring “groups” encourages us to do—but rather in relational, processural, dynamic, eventful, and disaggregated terms. This means thinking of ethnicity, race, and nation not in terms of substantial groups or entities but in terms of practical categories, situated actions, cultural idioms, cognitive schemas, discursive frames, organizational routines, institutional forms, political projects, and contingent events...and it means taking as a basic analytical category not the “group” as an entity but groupness as a contextually fluctuating conceptual variable” (2004: 11).

Hale points out that none of these approaches answer the question “why and when do people think in macrolevel categories of ethnicity and nation” (Hale 2008: 15)? For example, why are the values attached to ethnicity different from the values attached to other identities in peoples’ lives (Hale 2008:22)? Or, why do individuals follow elites’ calls to ethnic battles if ethnicity as no meaning (Hale 2008: 25)? Hale, instead, proposes an “ethnicity as relational theory”. Here, Hale makes the distinction between ethnicity and ethnic politics, arguing that ethnicity is concerned with uncertainty reduction while ethnic politics is primarily about interests (2008:3). For Hale, uncertainty plays a role in an individual’s navigation of a complex social world, whereby people tend to categorize themselves and others in ways that help them to make sense of the social world they inhabit (2008: 35). Categories become “thicker”¹³⁰ based on intrinsic importance, imposed importance, and usefulness as rules of thumb (Hale 2008: 37). Intrinsic importance refers to limitations or opportunities that are inherent to the nature of the category itself, for example, language. Categorization is immediate in this setting: people who speak the

¹³⁰ “Thickness” is a term used by Geertz (1973) to denote high levels of social meaning.

same language and people who do not (Hale 2008: 37). Imposed importance refers to limitations placed by the broader social environment, not the category itself. For example, when one set of people treats another as different, that has the power to “affect the other’s life chances according to this perceived difference, this perception of difference can be expected to become salient to the one receiving treatment” (Hale 2008: 37). Such a relational theory of ethnicity helps to better explain why elites turn to ethnicity as a narrative for action and why people buy into ethnic discourse (Hale 2008: 46).

There is, however, a difference between *ethnicity* and *ethnic politics*. Ethnicity “interprets the world, making actions on the basis of interests or emotion...possible” (Hale 2008: 48). Ethnicity, therefore, occurs prior to purposive action (Hale 2008: 55). It is also important to note that there no such thing as “an inherently ethnic interest or ethnic preference. Instead, we should assume ethnic group behavior is motivated by the same kinds of motives that drive human behavior more generally in all kinds of situations” (Hale 2008: 52). A relational theory of ethnicity, then, offers a viable framework that demonstrates how ethnic politics have come to play a central role in ethnofederalist activism in the central eastern-tarai region of Nepal.

Borderlanders of the Central-Eastern Tarai

As Soja (1996) argues, perceptions of space and lived space are inexorably intertwined. That spaces, such as borderlands, are filled with social meaning is a fact that colors everyday life in the central-eastern tarai. As such, borderland spaces cannot be understood in isolation, only relationally and positionally vis-à-vis state centers (Scott 2009: 32). While borders may be the physical demarcations of political, economic, and social conditions, they are also key sites for “understanding ideologies and policies emanating from nation-state centers” (Wilson and

Donnan 1998: 1). Moreover, border landscapes are “*powerful* because of the role they play in structuring everyday lives...a landscape of power operates as a political device because it reminds people of who is in charge, or what the dominant ideology or philosophy is” (Jones, Jones, and Woods 2004: 116 in Rajaram and Grundy-Warr 2007: xxvi, italics in original).

The project of nation-building is, in the strictest sense, employed to develop a sense of common identity among “the people” who inhabit a common bounded territory. This is especially observable in Nepal. Prithvi Narayan Shah, as discussed in chapter three, regarded his kingdom as a “pure Hindustan” (*Asal Hindustan*), a place for “real” Hindus to reside in contrast to Mughal India and later British Christian colonial India¹³¹. As such, the king considered the space of “Nepal” as ritually pure, making the borders of Nepal markers of psychological importance¹³². John Whelpton describes the variations of experience with nation-building in Nepal and the identities such a force helped to shape:

The building blocks were a sense of belonging to the hills rather than the Indian plains; shared cultural characteristics, including a particular brand of Hinduism and what is now known as the Nepali language; and loyalty to the state and to the dynasty that founded it. These feelings could in the beginning be fully shared only by those most closely (and most advantageously) associated with Gorkha and its ruling elite, and they excluded in particular the people of the tarai (2005: 4).

¹³¹ For a more detailed discussion see Burghardt 1984.

¹³² As Pramod Mishra (2009) writes, “This identity reveals three things about Nepali nationalism: high caste nationalism according to *varnashram* dharma; definition of Nepali identity superior to Indian identity and polluted Indian Hindus (one can trace the idea of superiority among hill high-caste Hindus in relation to tarai and Indian Hindus partly to this differentiation of unpolluted high caste Hindu identity although it’s more complex than that; and a sense of superiority to other hill ethnic groups for not being hill high castes)”.

Identification with the state is therefore arguably stronger in the Kathmandu Valley and central hills as a result of longer, and more intense, contact with Gorkhali culture, social structures, and politics:

How far the territories under Gorkhali control achieved a sense of common identity and how far they remained a conquered territory. It must be said in any case that belonging to the same state did normally not provide one with their primary identity...When people did think of themselves as subjects of a single king or a single state, it was not 'Nepal' they thought of. This word retained its original meaning of the Kathmandu Valley. There was nevertheless a basis on which some sense of unity could develop. Most obvious was the sense of being "Paharis", people of the hills: during Prithvi Narayan's 1743 journey to Benares he was told by the king of another *chaubisi* state that on the plains only their common status as hillmen mattered" (Whelpton 2005: 55).

Under conventional nation-building, creating a sense of "us" as a nation requires naming and "knowing" what is "not us"/"them"). In Nepal, for the reasons discussed above, the most important distinction for the nation-state has been between India and Nepal. John Whelpton writes, "a common sense of separateness from the Indian plains was a potential basis for unity in the hills even before the foundation of the Nepalese state" (2005: 186). The goal of the Nepali state, and the marker of national identity, was "distancing themselves from India" (Whelpton 2005: 186) and fostering a specific sense of "Nepaliness".

Of the 850 miles of border that Nepal shares with India, 550 miles are geographically indistinguishable (Gaige 1975). However, states rely on a calculation of difference against which to grow "loyalty" and a sense of "sameness" amongst their populations. As Gaige notes below, a major "national" concern in Nepal is that of Indian encroachment on Nepal's territory and people:

Nepal has always regarded India as a greater threat to its independence than China, because of its proximity to and economic dependence upon India. For many centuries,

Nepal's rulers prevented clearing of the dense and malarious tarai forest because the forest was an effective defense against the penetration of Indian influence. The malaria is now largely eradicated, much of the forest has yielded to the axes of land-hungry settlers, and the tarai is viewed by many Nepalis as an avenue through which Indian influence can increase...some concerned members of Nepal's governing elite look upon the tarai as their nation's vulnerable underbelly" (Gaige 1975: 2).

The tarai, therefore, has marked a geographically and culturally transitional region between the hills and the plains (Gaige 1975). "The transitional nature of the tarai creates for Nepal problems associated with integration of the region into a national economic and political framework" (Gaige 1975:11). As Guneratne (2002) writes,

Politically, the Tarai has been a zone of transition between the power of the hill rajas, always insignificant until the rise of the House of Gorkha, and the imperial states that ruled the plains of India. It was the bulwark that protected those rajas from the attention of their more powerful lowland neighbors. The Tarai has also been a refuge: for criminals, for political refugees, and in recent times, for Sikh militants from the Punjab (20).

David Gellner writes that the border with India is a "border that is, for many purposes, merely notional" (2007: 1824). All of this, of course, makes India both one of Nepal's greatest allies and its greatest perceived threat. From the days of attempting to create "*asal Hindustan*"¹³³ in Nepal, the country's leaders have tried to distance themselves from their Indian neighbor. However, reminders such as Hindi language preference, cross-border economic and social ties, and educational and political grooming in India have made Kathmandu-dwellers nervous about Madheshi loyalty and allegiance to the country.

¹³³ Literally "pure Hindustan", or a place for "pure" Hindus.

While Nepal was never colonized by a Western power, many Nepalese share the opinion that the country has been “dominated by Indian Hindu groups... imperialism¹³⁴ in Nepal thus comes from India” (Lecomte-Tilouine 2009: 25). Lecomte-Tilouine (2009) highlights the fact that while Nepalese *janajatis* and lower castes were subject to domination by upper caste Bahun-Chetris, the latter were in turn “subjugated by Indian imperialism and Western dominance” (27). John Whelpton offers a similar argument:

The Tarai was also in many ways a colony, although a better managed one. The great bulk of the cultivators were always from the plains and, in the pre-Rana period, so were many of those in intermediate positions in the revenue extraction hierarchy. However, Madheshis were never part of the inner core of the *bharadari* and when the *jimidar* system for tax collection was introduced by Jang Bahadur those appointed were predominantly from the hills (2005: 58).

In other words, extraction in the plains for consumption in the hills became a key feature of hill-tarai production relations. For some in the tarai, Madheshis suffered from “internal colonization” by hill groups and Kathmandu¹³⁵ (author interviews 2008-2009). Such sentiments marked many interviews.

The issue of citizenship also highlights the sense of belonging in the central-eastern tarai. Both the 1964 Citizenship Act and the 1990 Constitution imposed strict criteria on naturalization. A 2007 ICG report notes,

Already perceived as Indians, the absence of birth certificates and other documents to prove their Nepali origin made it almost impossible for Madhesis to acquire citizenship. Local officials often demanded land ownership titles before granting citizenship, which trapped Madhesis in a vicious cycle, because they could not get land titles without citizenship certificates. The naturalisation process required fluent spoken and written

¹³⁴ As perceived by various groups in Nepal.

¹³⁵ However, this does not imply that various hill groups implicitly occupied spaces of power. For a more detailed discussion of relational power between hill groups in Nepal see Campbell 1997; Cox 1989; Whelpton 1997.

Nepali. A government commission in 1994 reported that almost 3.5 million Nepalis did not yet have citizenship certificates. As well as not owning land, those without citizenship could not apply for government jobs, register births or marriages, get a passport, stand for elections, register a business, get bank loans or access government benefits¹³⁶ (2007d: 4).

Common memories and ties to the past continue to shape notions of identity and belonging in the central-eastern tarai. Individuals make connections between past experiences and future expectations of action on the part of a powerful group, for example the government. One local man explained,

There are three main issues: identity, development, civil rights. I will start with identity. From the unification of the country most people in Nepal abrogated and alienated Maithili speaking people. Let me be more specific and say Madhesh. These people felt the components that make identity—language, literature, culture were not recognized by the authorities in power and Khas [Nepali] speaking people especially... and development. If you wander around this town you will see the answer. What is the condition of development? The development of Janakpur was denied because Durga threw a bomb at the king [Mahendra]¹³⁷ and so [as a punishment] there is no development. There should be many projects for regeneration of the city but there is no response from any side. Even INGOs were not given permission of the government [to come to Janakpur]. All projects were blocked...When a Madheshi speaks for community he is an Indian. He is not [viewed as] a Nepali. And when there is no proper representation, there are no civil rights. When we had the first Jan Andolan my five year-old daughter saw the police she started shaking and reciting a mantra. We didn't have the courage to say a single word, to utter for our civil rights. We were so scared of the government (author interview March 2009).

Stories of the Madhesh's formation are much less common than stories of "unification". One man explained to me his story of the "Madhesh"¹³⁸:

¹³⁶ In 2006, the citizenship law was amended to include anyone born in Nepal before 1990 and permanently resident eligible for citizenship. Naturalisation is now open to people who can speak or read any language used in Nepal (ICG 2007d: 4).

¹³⁷ The speaker is referring to Durga Nana Jha, a resident of Janakpur, who attempted to assassinate King Mahendra in 1962 by throwing a bomb at his motorcade.

¹³⁸ ICG's 2007 report notes, "The term "Madhesh" is used as a near synonym of Tarai but it, and "Madhesi" (used for people), have distinct political connotations. Madhes generally denotes the plains of eastern and central Tarai, while Madhesi have been defined as non-*pahadis* with plains languages as their mother tongue, regardless of their place of birth or residence. The term encompasses both caste Hindus and Muslims and, in some definitions, the

It was Madhya Desh, the central land or middle land. In the history [of Nepal] we can't find Madhya Desh. In ancient times Madhya Desh was not connected with Nepal. If you study ancient Indian maps you will find Kuru [Delhi], Kassi [Benares], Kausal [Ayodhya], Usinar [Lucknow]. At that time these states were called Madhya Desh. In Buddha's time these states were called Madhya Desh. They were not linked to Nepal, they were not linked to Mithila, Bhojpur, or Awadh. They were adjoining areas but Mithila was never linked to these states. After the Treaty of Sagauli the Madhesh was a major question. People in Kathmandu called us "Madheshi" or "deshi" because these people thought we did not support the regime in Kathmandu. After that time of the British [East India Company rule] Madheshis did not support the Nepali king. So we were discriminated against. After the Treaty of Sagauli political leaders started to discriminate against Madheshis. People living in Madhesh were required to show their passport when traveling to Kathmandu. We had to show it at Makwanpur or Sindhuli. Even after living in this country there was a question of national identity. This was important for people coming from Madhesh—everyone living here faced this type of problem: Tharus, Maithili speakers. In this way people felt exploited and excluded. There are so many ethnic, political, and social identifications here but *they are united in one emotional tie called Madhesh*. These days in Nepal Madhesh is a burning political place [author interview March 2009).

While Madheshi identity has fluctuated over time, for this man, there is an emotional tie that binds people together through a shared experience of perceived marginalization and process of "Nepalization". Similarly, I spoke with a local man on a July afternoon and he explained to me the ways in which he experienced "Nepalization" in his lifetime:

They ["pahadis"] are against India, Indian culture, Indian dress. To make your identity distinct you must make your dress and language distinct. King Mahendra understood this. *Dal Bhat*¹³⁹ is eaten in Kathmandu *and* in tarai, but not *gundruk*¹⁴⁰ [*gundruk* is not eaten in the tarai]. So they made *gundruk* [a national food]. They made a bizarre combination of [wearing] a *topi*¹⁴¹ and English shoes and declared this the national dress. A sword, well that was all over [the world] so they made the *kukhuri*¹⁴² the national emblem. The

indigenous Tarai ethnic groups. However, many ethnic groups, especially the Tharus in mid-western Tarai and Rajbanshis, claim an independent identity, saying they are the original inhabitants of the Tarai, and Madhesis came in much later as migrants. Most Tharus in the eastern belt, which has a Madhesi majority, are comfortable being identified as Madhesi. Even as they accept that some migration did take place, Madhesis take offence to being called outsiders and see themselves as people who have always lived in the region." (2007d: 2).

¹³⁹ Literally, rice and lentils. This is often reported to be the "national dish" of Nepal.

¹⁴⁰ Gundruk is made of fermented, dried vegetables that is often reconstituted in curries. It is eaten largely in the hills and mountains of Nepal.

¹⁴¹ A *topi* is a hat worn by men in the hills and mountains of Nepal.

¹⁴² The *kukhuri* is a type of knife with a long, curved blade. It is typically used to cut grass but has also been used as a weapon.

rhododendron is the national flower but no one in tarai has seen this...These things are not of our soil" (author interview July 2009).

As demonstrated in the accounts above, it is the "lived essentialism between hill tribes and valley civilization [that] remains intact as a powerful organizer of people's lives and thoughts" (Scott 2000: 4).

Constructions of Ethnicity in Central-Eastern Tarai

In Nepal, new¹⁴³ discourses about ethnicity and ethnic federalism have given way to explanations of recent violence as particularly "ethnic". However, explaining violence through the lens of ethnicity does little to explain long-term patterns of peaceful co-existence and misses the temporal variations of violence (Chenoweth and Lawrence 2010). Moreover, ethnic and nationalist explanations tend to over-predict the occurrence of violence (Chenoweth and Lawrence 2010). For example, primordialist explanations do not account for the fact that, by and large, ethnic groups live in harmony with one another; or, as Henry Hale puts it, "next to almost every 'ethnic hotspot' is another 'ethnic spot' that remains conspicuously cool" (2008: 1). Without questioning "how ethnicity has come to be important, and how this process has been manipulated", we risk taking ethnic divisions as an immutable given (Keen 2008:165).

This thesis focuses on a region of Nepal where "ethnic minorities", termed "Madheshi", are demanding recognition and representation; a space where "new violence" has been attributed to the Madheshi population. However, as this thesis will make clear, the meaning of being Madheshi itself is not obvious¹⁴⁴. Who are we talking about when we use the term Madheshi?

¹⁴³ Many of these discourses are not altogether "new" but they are newly *public* discourses, particularly that of ethnic federalism.

¹⁴⁴ Clare Burket also addresses Maithil identity; see Burket 1997.

Which Madhesh are we talking about? The “old [one], the new, an imaginary one, or yet another located on a shifting map?” (Deleuze and Guattari 1987: 19).

Other authors point to the difficulty of using “ethnic” terms in Nepal. For example, the ethnonym *janajati*¹⁴⁵ (Lecomte-Tilouine 2009b), has a relatively vague meaning. Similarly, the term *Madheshi* conjures up several, sometimes contested, meanings amongst Nepalese themselves. Madheshis are generally referred to as being people of the *Madhesh*, the low-lying plains area bordering India. But inherent in this definition are an abundance of complex questions. Does being *Madheshi* include indigenous groups,¹⁴⁶ or pahadis whose families have lived in the area for decades?¹⁴⁷ What language is the language of Madhesh?¹⁴⁸ What is the religion of Madhesh¹⁴⁹ or, even, its cultural habits? Further, where is Madhesh?¹⁵⁰

For many, the term is presented as an opposition or a difference: it means not *pahadi*. Sometimes it is used more broadly to mean an oppressed, marginalized minority. Ethnic identity, as discussed above, can be a political or collective choice within a field of power relations, where state power is one of the main organizing principles behind ethnic identifications (Scott 2000:

¹⁴⁵ Janajati refers to indigenous groups in Nepal, with specific reference to hill groups. For a more detailed discussion of janajati movements in Nepal see Kramer 2000, 2002, 2003.

¹⁴⁶ In 2008, the Government of Nepal classified the Tharu as “Madheshis” in an official government document. This initiated a two-week protest organized by the Tharu community in defiance. On this point Susan Hangen writes, “The fluidity of ethnicity and diversity within ethnic groups make it challenging to create official lists, which attempt to fix these dynamic identities, that satisfy everyone. Government policies require such definitions, and yet they may flounder because of them. While such schedules may assist in addressing some ethnic grievances, they may ironically produce other grievances, since they exclude some people while privileging others” (2007: 22).

¹⁴⁷ The Churhe Bhawar are a group of individuals of pahadi origin living in the tarai organized to advocate for such inclusion.

¹⁴⁸ Throughout the terai people speak a variety of languages: Maithili, Bhojpuri, Awadi, Limbu, Hindi, as well as Nepali.

¹⁴⁹ The tarai is home to many Muslims in addition to the majority Hindus. See Table 7.

¹⁵⁰ Madheshi activists claim that the Madhesh extends from the Mechi to the Mahakali (rivers on the eastern and western border, respectively). However, Tharu activists vehemently deny this.

23-24). As David Keen writes, “[e]thnicity is not just an identity you choose, but also an identity that others may try to choose for you” (2008: 72)¹⁵¹. This is no less the case in Nepal. The state played a key role in the formation of ethnic identity by categorizing diverse groups of people under the same ethnic label and treating them as a single group (Hangen 2007: 6). Moreover, states have reclassified groups to reflect changes in their political or economic importance. As Susan Hangen writes, in Nepal, “ethnic labels lack historical depth and have shifted over time. The appearance of a people as a coherent ethnic group reflects a group’s particular historical relationship with the state more than its cultural distinctiveness¹⁵². Individuals within groups also re-label themselves as their place in the socio-political landscape shifts¹⁵³. The discussions, both around the Muluki Ain and the 1990 Constitution, are clear examples of this process at work.

During interviews with local residents, several individuals spontaneously tried to define for me their interpretations of what *being* Madheshi means:

As per the report of the government there are 92 different castes that belong to the Madheshi community. Among the 92 castes, Tharus were also included. Twenty years ago everyone thought that Tharus belonged to the Madheshi community. Some elites belonging to the Tharus came into contact with the intellectual circle and government officials. At that time they developed the notion, under provocation from the government and other elites, that they have their own identity. Tharus also speak Maithili. Maithili speakers, Bhojpuri speakers, Awadhi speakers, they all belong to the Madheshi community...If you take into account only cultural identity then Tharus are different. But these are recent developments to identify as [being] different from Madheshis...they are being encouraged to define themselves as Tharus to divide the Madheshi community. At this moment Madheshis have one voice—we want to be part of Nepal, we must have an autonomous region, we want to utilize our own resources (author interview March 2009).

¹⁵¹ For an example of how westerners formulate the “authentic” identity of Sherpas in Nepal, for example, see Adams 1996.

¹⁵² For a more detailed discussion of this process in other places in Nepal see Kramer 2000, 2002, 2007; Ramble 1997.

¹⁵³ For a discussion of Tibetans who re-label themselves as “Tamang” see Campbell 1997.

The civilian speaker above demonstrates two important points. First, the idea of “ethnicity” is fluid and changing rather than stable and fixed and, second, that the overlapping worlds of others influence, to varying degrees of strength, group identity and a desire for belonging. The excerpt that follows demonstrates the difficulty in trying to define what it means to be Madheshi:

You don't know [the definition of Madheshi], the government doesn't know, if you ask different Madheshis they will give you different answers. The word Madhesh came from Madhya Desh, those who migrated from India. But this is wrong thinking. Brahmans migrated from India too, Khas Brahmans. The King himself migrated from India. It is wrong to say that those of Madhya Desh were the only migrants, very wrong (author interview March 2009).

The speaker above argues that the common, everyday definition applied to Madheshis incorrectly categorizes them as shifting migrants, as opposed to other groups in Nepal who also moved northward from India but who do not occupy the same label of “migrant”.

Because borderlands are markers of hybridity and difference, carried within them are assumptions of dis-order, movement, and resistance. To the state such qualities mark danger and, for the state, apart from the consolidation of “national” territory, consolidation of allegiance is essential within the rubric of ordering borderlands. Often, one way of controlling behavior or consolidating order is to employ stereotypes. Stereotypes are easily deployed and do the effective work of helping to regulate broad social ideas about identity and social relations. The concept of alterocentrism proves useful. Alterocentrism posits that the “Other” is the Self's reference point; “[t]he individual, when facing the Other, projected onto himself or herself a vision of his/her own person or culture as seen by the Other...it is thus a complex or indirect form of ethnocentrism, a social construction of a self-definition retroprojected through the intermediary of another group, to whom this view is assigned” (Lecomte-Tilouine 2009b: 10-11). For

borderlanders, there is an act of foreclosure; they become “located within particular registers of meaning and action” (ibid: xi) which preempts the consideration of other meanings.

Following Marie Lecomte-Tilouine (2009b), it is critical to examine the stereotypes that “regulate, among other things, political and social relations in Nepal, and play a fundamental role in group identity” (7) in order to better understand the ways in which social and political ordering has impacted on, and intersects with, “world-making” and everyday living. For example, “belonging must be performed; groups must prove their cultural or social belonging through effective identity performance. The way people dress, speak, and socialize all have effects on recognition at particular points in society” (Rajaram and Grundy-Warr 2007: xiii).

Lecomte-Tilouine, in her study on the Magar community, argues that stereotyping within Nepal, and particularly within the caste system, functions to reinstate difference albeit through mastering difference (2009b: 8-9). Difference, as discussed above, is one fundamental way of explaining the “us” required for the work of nation-building. Lecomte-Tilouine writes,

...any point of view is relative and determined by the group stereotype. All perceptions are viewed as having been modified by the position of the subject (as member of a specific group) within society. It seems that the caste structure thus relies not only on acknowledging the differences of each group within it...but also on emphasizing and *mastering* these differences (Lecomte-Tilouine 2009b: 8-9; italics in original).

While stereotypes should not be indulged in or constructed by anthropologists-or any other group- they “should also not be ignored or left aside either because of the moral reprobation they universally arouse, but must be analyzed for what they are, as stereotypical characterizations, caricatures, even images used in the rhetorical representations of identity and social relations”

(Lecomte-Tilouine 2009b: 23-24). Therefore, it is important to examine the ways in which stereotypes have been employed in Nepal for the purposes of fostering a sense of both unity *and* difference and for the ways in which they shape people's worlds and ways of world-building.

Throughout this research individuals spoke of the varieties of stereotyping that they experienced. Most often, for the reasons discussed above, tarai dwellers are named as "Indians" *out loud* as a means of naming *difference*. John Whelpton writes, "millions in the Tarai felt that they were denied equal treatment by the dominant hill elite while many in the hills saw the Taraians (as they now call themselves)¹⁵⁴ an Indian fifth column within Nepal's borders" (2005: 186). This idea was echoed in several instances throughout my research as well as in public comments made by prominent public figures. When asked by Indian journalists why inhabitants of the tarai had not enlisted in the Nepalese Army, the first Prime Minister of Nepal replied, "It is because they are cowards¹⁵⁵" (Lecomte-Tilouine 2009b: 8). One local man expressed to me during our interview that, "there is a strong sense [from the government] that we are traitors, Indians" (author interview April 2009¹⁵⁶). An interview with one government official further highlights the point. In our interview he remarked: "there are some who want to be more Indian than Nepali" (author interview February 2009). This stereotyping functions to perpetuate an image of what it means to be "Nepali", as understood by these men. These statements demonstrate the spoken and intuited stereotypes that color the experiences of tarai residents. In examples such as

¹⁵⁴ Some individuals use the terms "Madheshi" and "taraian" interchangeably.

¹⁵⁵ Quoted in Lecomte-Tilouine 2009; original source *The Nepal Digest*, 14 August 1998.

¹⁵⁶ A 2007 ICG report notes that Madheshis "occupy less than 12 per cent of the posts in influential areas, including the judiciary, executive, legislature, political parties, industry and civil society, and less than five per cent in international organisations and multilateral donor projects...Madheshis were 21 per cent of MPs in 1991, 18 per cent in 1994 and 20 per cent in 1999; in the upper house, representation hovered between 8 and 15 per cent...In 2000, there were only nine Madheshi senior bureaucrats and three members of constitutional bodies. Madheshis hold just over one tenth of senior positions in the public and private sectors" (2007d: 4).

these, one individual (in this case, the tarai resident) is held up as the opposite of the desirable or model citizen (in these examples, the “Nepali”) by state representatives. Carried within these examples are ideas about not only loyalty and citizenship, but also personal character; something which has tremendous psychological and emotional implications for the victim of stereotyping.

Other individuals described deeply personal experiences of being stereotyped. One young man living in the central-eastern tarai shared with me the following: “The government has always called us Indians. I was born here. We live on the other side of the Indian border! Nepal is my country. My father was born here. I have certificates, identity cards, but Nepali rulers treat me as if I am Indian” (author interview August 2009). Another young man reflected, “in Kathmandu I have heard these pahadi people, pahadi men, saying “*dhoti*”¹⁵⁷, to one of the Madheshi vegetable sellers. The pahadi people call us “*dhoti*” because we live near the border area. Why is that happening? Living near the border area, is it our fault?” (author interview August 2009). While visiting with an elderly man in Janakpur he shared with me the following:

Let me tell you a story about my friend. Twenty-five years ago he went to Kathmandu with a letter to deliver to a Newar family. A lady answered the door. She asked where he was from and he answered “Janakpur”. The woman, when asked by the others in the house, responded in Newari, “*manu makhu marsiya ka*”. *Marsiya* means Madheshi; *Manu makhu*, [means] he is not a man. [She was saying] “he is *marsiya*, he is Madheshi, he is not a man”. What is he then? [He is] a *Madheshi*. This is the attitude of people in Kathmandu...Our anger is not against the pahadi community but against that kind of mentality. This is the fact: I am not even recognized as a human being (author interview March 2009).

Another local man echoes this sentiment during our interview: “There is a pahadi mentality. They have ruled for so many years. They don’t think that Madheshis are human. They think that

¹⁵⁷ *Dhoti* is a type of dress worn by men in the tarai. It is also used derogatively as a noun, as here.

we should be subservient to pahadis. This mentality must be changed...the only way out is to fight” (author interview August 2009). Experiences such as these take emotional and psychological root in their victims. Many individuals with whom I spoke provided various explanations for such experiences. In the examples above, the speaker describes a type of “pahadi mentality”; however, in other instances, explanations blended reasons of religion, politics, naiveté, or, most prominently, race and ethnicity.

Throughout my fieldwork I also heard in interviews-what I perceived as reductions of complex matters of identity, groups and individuals- explained in terms of race and racial superiority. Marie Lecomte-Tilouine addresses this in her study of *janajati* groups in Nepal: “[o]pposition to the state is translated as a conflict between castes and tribes, a conflict that is further reduced to racial opposition between the Aryans and the Mongols” (Lecomte-Tilouine 2009b: 125). Answering questions about who “we” are has, in Nepal, led to a reliance on racial¹⁵⁸ categorization. The interview excerpts below illuminate *some* thoughts on race and ethnicity in Nepal¹⁵⁹:

In my view socially and culturally Madheshi has a separate identity. Additionally, we Madheshis are very similar with the Aryan civilization. Our facial structure, our facial expressions, rituals and culture as well as the habits of Madheshis are similar to the Aryan Hindus. Madheshi identity is also related to our caste. With the caste we can understand somebody as Madheshi and someone else as pahadi. Talking about specific Madheshis there are different kinds of people on the basis of class, caste, religion. There are Tharu communities, Muslim communities who have different kinds of dress, food and eating style, in spite of that we are all Madheshi, we all live in Madhesh. We have different culture, especially people living in Madhesh and are related with Aryan

¹⁵⁸Jason Miklian writes that indigenous movement in 1990s Nepal “intentionally worked to introduce race as a form of self-identification in Nepal, in the process strengthening racial identities for both the marginalized and their oppressors” (2009a: 4). This is also explored in Hangen 2007.

¹⁵⁹Miklian points out that the “terms ‘race’ and ‘ethnicity’ are used differently in Nepal as opposed to the academic literature, often to explain explicitly physical features (i.e., using race to define someone who ‘looks Indian’)” (2009a: 4).

civilization like us and people living from long ago coming from India from different purposes and settled here for many, many years are Nepali and this is our identity (author interview March 2009)

From the very beginning when we used to travel from here to Kathmandu the pahadi people in Kathmandu would call us as “Madheshiya” because pahadi people and Madheshi people have different faces. There in Kathmandu we used to speak in Nepali and we used to say we are Nepali but pahadis used to call us Madheshis, identify us as Madheshi, saying that we look like Madheshi, eat like Madheshi, wear clothes like Madheshi. So this must be tarai culture. Looking at this culture they would say “this is Madheshi” when we came from Janakpur, or Mahottari, or Bara, or Parsa. So we are known as Madheshi from our facial structure...our face is not similar to those of pahadis. We have a Madheshi type facial structure, way of eating, way of dressing, so we identify as Madheshi (author interview April 2009)

Because of the state’s exploitation Madheshis have united...Actually we cannot define our identity in only one word. But what is important is that Nepali rulers, from the very beginning, and I’m talking about 240 years before, even before that, thousands of years back, if we look, the rulers realized that our faces are similar to Bihari people, be it of different class or caste, and they defined us as Madheshi. Those people that were thought to be from India they were called as Madheshi. The people living in this area sometimes go to India but live in this part [of Nepal]. In history also sometimes Madhesh was Nepal and sometimes it was India. The pahadi population who live in Madhesh are not the Madheshis they are only the inhabitant of Madhesh, they are not the real Madheshis. Madheshis are exploited, they are discriminated against, they are the Madheshis whose facial structure—be it Madheshi, Tharu, Muslim, Christian or Buddhist—is similar to the people of Bihar, these are the real Madheshis. We do not feel shy to tell all these things. Our face is similar to them, we have relations with them, why should we feel shy about this? We don’t feel shy. We are actually Nepali. But because we have a similar face to Biharis the rulers are discriminating against us. From this perspective our identity has been defined. (author interview July 2009).

While these excerpts only represent a selection of individual sentiments and do not characterize the totality of thoughts on race and ethnicity in Nepal, they are, like all quotes in this thesis, illustrative of the ways in which individuals tell themselves (and others) stories about themselves—who they are, where they come from, and how they might be different or unique from other groups within their social landscape. However, as will be discussed in chapter seven, some of these racial and ethnic sentiments have become radicalized or used as a means of

furthering conflict and violence. For example, in one interview in Janakpur I spoke with a man who was an ardent supporter of an armed group in the central-eastern tarai. He told me the following: “let me say this to you in English so that you understand. This fight is only about race. All these fights are only about race. There are two races in our country: Mongols and Arayans. Mongols never want to see us in a rising position. So we are fighting for our race” (author interview March 2009). Not only are states primary organizers of ethnic identification, so too are particularly powerful groups within society. Chapters seven, eight, and nine explore the role of political parties and non-state armed groups in constructing Madheshi identity in more depth.

Conclusion

Boundaries are at once a source of inclusion and exclusion, a source of security and tension (Wilson and Donnan 1998; Migdal 2004; Goodhand 2005; Scott 2009), and offer powerful ways of drawing and re-drawing social landscapes. Drawing on borderlands studies, this research explores the ways in which local actors participate in the complex and heterogeneous processes of identity formation, rights assertion, and state re-formation in the ‘postconflict’ environment and how new discourses about spatial territorialization and belonging has led to continued local level violence.

This chapter introduced the overarching analytical approach to space as patently social and political through a discussion of Soja (1996) and Massey (1992). This approach provides the conceptual foundation for understanding the socio-political implications of an ethnofederal proposal and, importantly, how and why discussions about ethnicity have become significant in the central-eastern tarai, specifically in the context of continued local-level violence. A discussion of ethnicity and the selection of the “ethnicity as relational” theory (Hale 2004) was

also introduced as a way of examining the use of ethnicity as a focal point for, not only activism and mobilization into non-state armed groups, but broader regional understanding of relations between the state and residents of the central-eastern tarai.

The chapter also introduced the concept of belonging through an examination of key literature and individual interviews with local residents. Individuals discussed what Soja (1996) called “firstspace”, “secondspace”, and “thirdspace”; that is, the materiality of spatial forms and ideas about space, as well as what is experienced between those forms and ideas. For example, respondents described the impact that living near the border has had on their relations with the state and society outside of the tarai. Others discussed stereotypes that they’ve endured as border-dwellers. These narratives figure prominently, not only in the rhetoric of non-state armed groups, but in the collective memory and experience of the broader “Madheshi” population. As other chapters will demonstrate, whether or not local residents support non-state armed groups, the narrative of belonging resonates with those who are living life at the border.

CHAPTER SIX

THE ETHNOFEDERAL PROPOSAL IN NEPAL

This thesis asks how the local level violence that persisted after the signing of the Comprehensive Peace Agreement was understood by conflict actors and civilians in the central-eastern tarai and, furthermore, how NSAG members and civilians experience that violence. One explanation for the emergence and growth of non-state armed groups is the national-level discussion around ethno-federalism. In ‘postconflict’ Nepal, public discussions about cultural and ethnic identity have begun to take spatial shape. In Nepal, re-configurations of the national map are being debated every day. Most prominently, discussions centered around ethnic federalism are forcing people to think in terms of “rooted” “homelands”, inviting deeper questions about cultural identity and “natural” ties to specific spaces. In other words, battles over space are shaping debates over the production of identities (Heathershaw and Lambach 2008). A significant consequence of this type of thinking is the appropriation of ethnicity/cultural identity and space by specific groups of people for specific political purposes. As such, politically motivated violence is being carried out by non-state armed groups seeking to advance their agenda regarding Nepal’s administrative configuration, specifically the question of (ethno)federalism (SAS 2013). In an effort to better understand how the politicization of ethnicity and inequality affects conflict patterns (Bakke and Wibbels 2006: 37), this chapter introduces a framework for the arguments in this thesis. A discussion of concepts such as ethnofederalism and framing provides explanations for continued local-level violence in the central-eastern tarai region of Nepal.

Examining Ethnofederalism

Federalism refers to a specific structure of government: that which is territorially divided into subunits, for example. Ethnofederalism, by contrast, is a specific type of federalism whereby territorial subunit boundaries coincide with ethnic group boundaries. Ethnofederalism is, therefore, a “federal system of government in which federal regions are invested with ethnic content” (Hale 2008: 64)¹⁶⁰. Examples of ethnofederal states include Ethiopia, India, the former Yugoslavia, Belgium, Canada, and the former Soviet Union.

In the academic literature, the debate on ethnofederalism has been characterized by competing views of its effectiveness. On the one hand, federalism has been broadly viewed as “peace preserving” (Bermeo 2002). Under this view, federalism is a tool for managing conflict by offering power-sharing for the state and disaffected groups: states retain territorial integrity while subnational groups achieve self-governance (Bakke and Wibbels 2006). Furthermore, scholars argue that decentralization through ethnofederalism is an effective way of empowering groups and peacefully accommodating diverse group interests by appeasing groups seeking greater self-determination, alleviating ethnic divisions, and limiting discriminatory practices (Lijphart 1977; Wolf 2010; Gurr 2000). Scholars such as Lake and Rothchild (1996) further argue that federalism provides a checks and balance system between regional and national levels that reduces the “ethnic security dilemma”, thus decreasing interethnic tensions and containing civil

¹⁶⁰ However, scholars debate the exact definition of “ethnofederalism”. For some, ethnofederalism means a system in which “many, if not all of the subunits are composed of (and understood to represent) geographically concentrated minority communities” (Bunce and Watts 2005). For others, like Roeder (2009), ethnofederalism means that “some, if not all, the constituent units of the federation are homelands controlled by their respective ethnic groups” (204). Hale’s earlier definition, too, was different; he argued that “at least one constituent territorial governance unit is intentionally associated with a specific ethnic category” (2004: 167). In other words, the structure of ethnofederations is unclear: they can be fully ethnofederal, where all subunits are ethnic homelands, or partially ethnofederal, where one or more sub units are ethnically defined (Anderson nd).

conflict. Hoddie and Hartzell (2005) examine peace settlements between 1945 and 1998 and determine that territorial decentralization strengthens the postwar peace and encourages transitional elections. Bakke and Wibbels (2006) offer a more nuanced perspective when they argue that the degree to which federalism is peace preserving depends on how institutions respond to the specific characteristics of the societies they govern (3)¹⁶¹.

In contrast to the federalism-as-peace-preserving literature, other scholars argue that ethnofederalism increases the likelihood of secession and disintegration of the state (Roeder 2007, 2009; Brubaker 1996; Bunce 1999). For critics of ethnofederalism, the creation of “ethnically defined federal sub-units or autonomous regions furnishes ethnic leaders with the institutional resources necessary to mount a secessionist challenge to the common state” (Anderson nd: 7). Scholars such as Bunce (1999) and Roeder (2007) argue that institutions created by ethnofederalism provide ethnic groups with resources and networks to mobilize for secession. They point to ethnofederal structures as the reason for the demise of the Soviet Union, for example (Brubaker 1996; Bunce 1999). In fact, literature on ethnofederalism has relied largely on case studies of the former Soviet Union and Yugoslavia, both non-democratic, socialist ethnofederations (Anderson nd). In other words, the studies on ethnofederalism in the former Soviet Union and Yugoslavia are specific to a particular context and their generalizability is quite limited.

¹⁶¹Specifically, they argue that fiscal decentralization, intergovernmental fiscal transfers, and political copartisanship across tiers of government combined with a society’s level of wealth and ethnic composition matter when assessing federalism as “peace preserving” (Bakke and Wibbels 2006: 3).

Whereas the focus of the literature on ethnofederalism has been evaluative, analyzing already existing ethnofederations and their successes and failures, this thesis focuses on the process of *mobilizing support* for ethnofederalism. This is done for one primary reason: ethnofederalism is only one option among several prospects for state restructuring in Nepal and its adoption is not guaranteed, making any evaluation of its effectiveness speculative. Therefore, this thesis is not concerned with the effects of already existing ethnofederalism and does not seek to evaluate ethnofederal arrangements. In other words, this thesis seeks to examine ethnofederalism not as an already established institutional arrangement but as a potential one; it asks the less studied and more interesting question of how the prospect of ethnofederalism has impacted on postconflict violence from the point of view of ethnic activists and local civilians, with a specific focus on historical and social context.

The Constitution and Federalism

Nepal's Interim Constitution clearly states that the country will have "a federal system of governance" (Nepal 2007)¹⁶². However, less clearly articulated is the *kind* of federalism that will be instituted in Nepal. More than a dozen models have been proposed but, more than any other, the notion of ethnic federalism¹⁶³ has shaped public debate around identity, territory, and power. Like the administrative changes before it, the proposed ethnofederal system in Nepal would have acute impacts on local populations.

The Maoists initiated the agenda of ethnofederalism during the "People's War" in an effort to end political marginalization and decrease economic disparities amongst regional and ethnic

¹⁶² The Interim Constitution was amended several times to incorporate demands of regional and ethnic groups, including federal restructuring and proportional representation (Shah 2013).

¹⁶³ For a more in-depth discussion of the variety of proposals see ICG 2011.

groups. While the debate around federal restructuring is new, ethnic activists¹⁶⁴ have long articulated the issue; “ethnic groups are not inclined to settle for just decentralization of power; they want institutional reforms to guarantee proportional representation and a redefinition of Nepali identity based on inclusion-one that recognizes the country’s ethnic, cultural, and linguistic diversity” (Shah 2013: 2). Ethnic activists argue that the hegemony of hill-Hindu elite has dominated socio-economic and political decision-making and led to discrimination along ethnic and caste lines, resulting in limited access to state resources and power. Those who advocate for ethnic federalism would like to see states or provinces established along ethnic lines. Proponents of ethnic federalism suggest creating constituent units around settlement patterns, language, and identity groups. “Indigenous leaders and prominent Maoist leaders, in particular, perceive of a form of federalism that takes ethnicity into account” (Topperwien 2009) as a means of de-marginalizing those groups that had been historically excluded from the state.

The election of the Constituent Assembly in April 2008 created the most representative body in the history of Nepali politics (Shah 2013). However, breakdown of consensus ensued when parties could not agree on a model for federalism in the country. During the People’s War, the Maoists established nine autonomous regions based on ethnicity and territory¹⁶⁵: Kirat, Tamang, Thakuri, Tamuwan (Gurung), Newar, Magar, Tharuwan, Madhesh, Bheri-Karnali, and

¹⁶⁴ This was led largely by the National Federation of Indigenous Nationalities (NEFIN), which fought for the right to self-determination and autonomy, beginning in the 1990s. After the 1990 People’s Movement, two registered political parties advocated for federalism : “the Nepal Rastriya Janajati Party demanded federalism based on ethnicity; the Nepal Sadhbhawana Party (NSP) sought autonomy for the Terai region” (Shah 2013: 10).

¹⁶⁵ The Maoists “Roadmap on Nationalities and Regional Questions” enumerates the functions of the autonomous regions including maintaining: “control over local land, forest, mountain, tourism, public land, religious places ,rivers, lakes, minerals, agro-based small and mid-sized industries, inter-regional trade, local internal security, education, literature, language, culture, regional communication” (in Baral 2007). Excluded from their jurisdiction are :”the army, foreign relations, finance, currency measurement, communication, international trade, would be large-scale industries and big hydropower projects” (Shah 2013: 11).

Setiu-Mahakali, in addition to Newa Autonomous Region (Kathmandu Valley) (Baral 2007). In 2007, additional autonomous regions were added: Kochila and Limbuwan as well as three sub-regions: Maithili, Bhojpuri, and Awadhi speaking regions of the tarai (Baral 2007).

However, political parties such as the Nepali Congress and the CPN-UML firmly oppose federalism based on ethnicity, though they do support some form of federalism. Other proposals for federalism, for example, include economic divisions of the country into constituent units based on North-South zones (states or provinces) that encompass the mountains, hills, and plains. Such an approach focuses on equitable resource allocation which requires interdependence between the three regions of the country. However, opponents of such an approach are accused of not changing the system enough (Nepal is already divided into North-South development zones) and fear of continued political dominance by certain groups within the country remain.

Opponents of ethnic federalism point to the fact that there are at least 100 ethnic groups in Nepal and over 90 languages spoken¹⁶⁶. That identity is constantly negotiated, fluid, and changing, prompts the concern of many in Nepal where ethnic federalism is concerned. Furthermore, in very few districts is there a clear ethnic or linguistic majority. Federalism based on ethnicity would therefore produce mixed units. Figure three below shows the spatial distribution of various ethnic communities across Nepal¹⁶⁷.

¹⁶⁶ For more information on demographics, see HMG 2001.

¹⁶⁷ However, this map only depicts the largest ethnic group per VDC and does not reflect the number or distribution of minority ethnic groups.

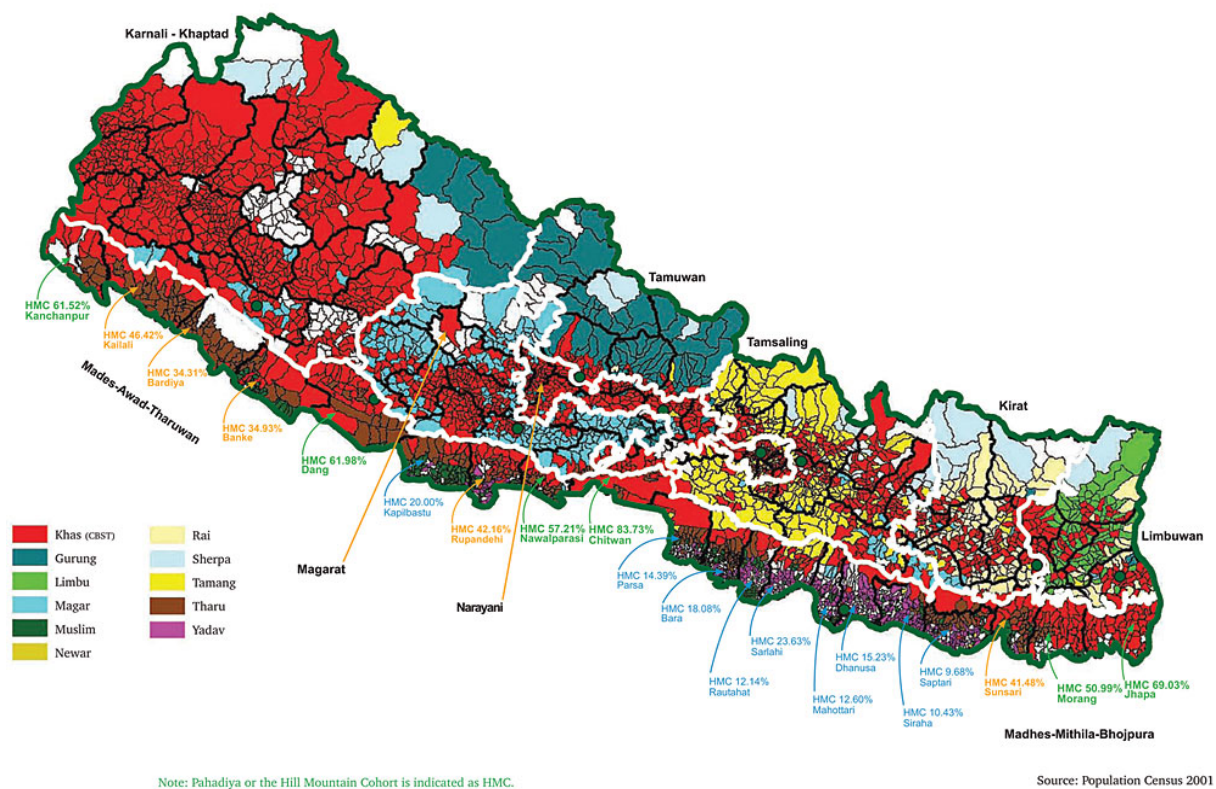


Figure 3: Map of Ethnic Distribution

Source: Population Census 2001

The fear of some groups is that they will end up as a minority in a constituent unit controlled by another group (Topperwien 2009). At the time of writing, there has been no resolution reached on the question of federalism in Nepal and even the most enthusiastic proponents of federalism have done little to flesh out what such a system will actually look like (ICG 2010a). As such, “federalism is now the most contentious issue in Nepali politics” (ICG 2010a: 1). As a 2011 ICG report notes:

The debate on federalism in Nepal is inseparably linked to resistance against political and economic exclusion on the basis of caste, ethnicity and regional identity. It constitutes a significant element in the re-negotiation of power relations in the country after the civil war. On an institutional level, the demand for federalism challenges the centralisation of political power in the hands of a small elite. But it goes a lot further, in that it will redefine an entrenched national identity and upends the dominant, state-sponsored

narrative of the eighteenth century conquest of what now constitutes Nepal, which celebrates it as “unification”. The pressure for “ethnic” provinces has to do with aspirations for fair representation in government and administration, but also with recognising that all the ethnically and culturally diverse groups constitute the nation (1).

As subsequent chapters will demonstrate, claims to territory are widely overlapping and ideas about “ethnicity” are constantly in flux. This thesis considers how the very *idea* of ethnic federalism has set in motion serious local and national level dialogues about identity, belonging, and inclusion and the proposition of ethnic provinces has given rise to ethnic activism, in some cases pursued through violent means. The narratives around ethnofederalism in Nepal have given political salience to notions of ethnicity. Public awareness has never been so high (ICG 2010a). The following section discusses collective action and framing as concepts used to examine the rhetoric used to mobilize around ethnofederal notions in the central-eastern tarai, such as “ek Madhesh, ek Pradesh” (one Madhesh, one province).

Collective Action and Framing

Group conflict is a form of collective action and behavior. Tilly and Tarrow (2007) define collective action as “coordinating efforts on behalf of shared interests or programs” (5). Social movement¹⁶⁸ literature offers an interesting starting point for discussing the concept of framing¹⁶⁹. Early work on social movements focused on questions of *why* protest emerges, building a theory of collective behavior (Smelser 1962) and attributing protest behavior to

¹⁶⁸ Diani (1992, 2003, 2004) defines social movements as: (1) involved in conflictual relations with clearly identified opponents; (2) linked by dense informal networks; and (3) sharing a distinct collective identity (in della Porta and Diani 2006: 20).

¹⁶⁹ While non-state armed groups do not clearly fall into the category of social movements, the literature surrounding social movement theory is important to a discussion of framing. Furthermore, non-state armed actors in the central-eastern tarai exclusively referred to themselves as “activists” within a broader Madheshi movement. According to Diani’s definition above, groups in Nepal’s central-eastern tarai region could fit into the category of a social movement.

individual irrationality and fragmentation of family and community (Kornhauser 1959). Later researchers shifted their focus to *how* protest emerges, with emphasis on explanations of political opportunity structures (Tarrow 1994) and the availability of resources to allow protestors to act collectively (McCarthy and Zald 1973). Resource mobilization theorists argue for the “significance of organizational bases, resource accumulation, and collective coordination for popular political actors” (McAdam, Tarrow, and Tilly 2001: 15), for example, money, goods, or weapons. Resource mobilization and political process theorists were therefore interested in asking when and how people were able to coalesce around particular interests; interests that were clearly recognizable with the opening of political opportunities around which resources were mobilized for political purposes (Polletta and Jasper 2001: 286). Tilly (1978), for example, argues that “The extent of a group’s collective action is a function of (1) the extent of its shared interests (advantages and disadvantages likely to result from interactions with other groups), (2) the intensity of its organization (the extent of common identity and unifying structure among its members) and (3) its mobilization (the amount of resources under collective control)” (84). McVeigh, Myers, and Sikkink (2004) further argue that structural changes can lead to new grievances, thus inspiring collective action. Yet, grievance theories do not explain the causal link between grievances and mobilization of collective action (McCarthy and Zald 1987). In other words, structural factors such as available resources therefore do not automatically lead to collective action. Activists must, it is argued, be aware of the opportunities that exist, believe that they have the ability to bring about change, and develop a sense of blame (della Porta and Diani 2006). Tarrow (1998), for example, contends that activists wait for signals from the state to organize their actions while Gamson and Meyer (1996) maintain that activists are not strategic entrepreneurs calculating political openings; rather, they are continually attempting to organize-

with successes and failures. We should, therefore, ask under what conditions is discontent transformed into mobilization (della Porta and Diani 2006)?

Critics of political opportunity theories point to the overemphasis on structure at the expense of examining culture. However, as this thesis makes clear, an in-depth examination of the historical and cultural dynamics underpinning ethnic activism and the emergence of non-state armed groups mobilized in the name of “ek Madhesh, ek pradesh”, provides a more nuanced and robust constructivist complement to political opportunity theory. While this study discusses the changing dynamics of political institutions in postconflict Nepal, it does not do so at the expense of examining cultural components of opportunity.

What do we mean by “political opportunity”? Gamson and Meyer (1996) lament that “the concept of political opportunity structure is in trouble, in danger of becoming a sponge that soaks up virtually every aspect of the social movement environment-political institutions and culture, crises of various sorts, political alliances and policy shifts...used to explain so much, it may ultimately explain nothing at all” (275). Political opportunity theory, as Meyer (2004) points out, relies on examining exogenous factors to explain a movement’s prospects for: “(a) mobilizing, (b) advancing particular claims rather than others, (c) cultivating some alliances rather than others, (d) employing particular political strategies and tactics rather than others, and (e) affecting mainstream institutional politics and policy” (126).

The interplay between context and action, therefore, is a critical piece for understanding the relationship between structure and agency in the debate within political opportunity theory

(Meyer 2004; Meyer and Minkoff 2004). For political opportunity theorists, political context matters: agency is understood through the structure in which choices are made (Meyer 2004). For example, Tilly (1973) argues that changes in opportunities allow activists to pursue particular strategic issues at a particular time where political “openness” offers avenues for them to exert influence. For example, McAdam’s (1982) work on the African American civil rights movement argues that changes in the political environment (i.e. decline in lynchings, judicial decisions such as *Brown vs. Board of Education*) opened up a political space that allowed mobilization due to lowered costs for political organizing and increased value as a political constituency. The challenge for researchers utilizing political opportunity theory is in identifying which aspects of the external world affect the development of which social movements, and how (Meyer 2004: 134).

The temporal aspect, too, is an important variable in explaining the trajectory of movements. McAdam (1996) points out that “initiator movements”, i.e. those movements that set in motion a protest cycle, changes the dynamics of emergence for subsequent movements. This accords with the emergence of NSAGs in the central-eastern tarai, as will be explored in later sections. Specifically, the Maoists influenced both the ideas and tactics of NSAGs in the central-eastern tarai. Ethnofederalism emerged as a Maoist proposal and an armed movement was a clear tactic used to achieve their political goals and obtain political power within the new political configuration. Gourevitch (1986) uses the term “open moments” to describe environments in which actors bargain for new political arrangements after major events within a country (in Gamson and Meyer 1996: 280). While NSAGs in the central-eastern tarai are unique (i.e. not

mere “memes” of the Maoists), Maoist ideas, organization, and tactics had a clear impact on the emergence and structure of these groups.

Political opportunity theorists such as McAdam, McCarthy, and Zald (1996) argue that social changes in a political system create new possibilities for collective action, yet that social action is “as much a cultural construction as it is a function of structural vulnerability” (8). For Meyer and Minkoff (2004), structural models and signals models provide keys to understanding political opportunities. In Nepal, the structural opportunities, or changes in political institutions, are state re-structuring, Constituent Assembly formation, and Constitution writing. Meyer and Minkoff’s (2004) signals model captures the agentive component of mobilization. This model focuses on issue-specific variables that activists read as invitations to mobilize and create favorable environments for activism (Meyer and Minkoff 2004: 1470); in other words, the perceptions of the activists themselves. This is in contrast to conceptualizing political opportunities as general features of a political system. In the case of NSAGs in the central-eastern tarai these issue-specific variables include national rhetoric around state restructuring and Constitution writing, Maoist ascendancy to power within Constituent Assembly, and the events around the Madhesh Andolan. The relationship between structural factors and symbolic signaling factors in Nepal therefore offers a distinctive account of the political opportunity for NSAGs in the central-eastern tarai. While political opportunity theory can broadly be divided into studies that examine opportunities for mobilization and opportunities for influence (Meyer 2004), this study is narrowly focused on opportunities for mobilization. The research question posed in this study

seeks to examine the process of how violence was mobilized, experienced, and perceived and does not attempt to evaluate the outcomes, or relative success, of NSAG activism¹⁷⁰.

Contrary to collective behavior theories that define participants as irrational, and rational choice/resource mobilization theories who uphold that individuals participate according to rational cost-benefit calculus, Jasper (1998) argues for the centrality of *emotions* in social movements. Emotional responses are part of social action at every stage: ranging from pre-existing personal sentiments, to emotions invoked by group leaders or members, to participation in specific group activities (Jasper 1998). Scholars such as Jasper (1997, 1998) argue that not all participants pursue political or material rewards; “goals, interests, even strategies, and political opportunities are increasingly viewed as embedded in and defined by cultural meanings and practices” (1998: 415). Melucci (1996) argues that the cultural contexts within which movements emerge are as important as their political ones. Theorists studying the “new social movements” of the 1970s and 1980s furthered arguments around cultural context by studying how participants in such movements were not interested in seeking concessions from the state or calling for a redistribution of political power, rather, they sought changes in dominant cultural codes and sought recognition for their identities and lifestyles (Polletta and Jasper 2001). Recent works have advanced more sophisticated models of how the social, economic, and political relations in which people participate generate mobilizing identities and identified the political conditions in which identity claims are likely to be prominent in movements (Polletta and Jasper 2001: 289). The question of whether identity or interests drive participation has produced mixed conclusions

¹⁷⁰ Furthermore, at the time of writing, the Constitution remained unwritten and state-restructuring was still being debated.

in the literature. Polletta and Jasper (2001) argue that the importance of identity and interest might be more or less salient depending on the context.

Identity constructions are therefore inherent feature of the framing process. As Hunt et al (1994) have noted, "not only do framing processes link individuals and groups ideologically but they proffer, buttress, and embellish identities that range from collaborative to conflictual" (Benford and Snow 185). Polletta and Jasper (2001) argue that collective identity plays a central role in social movement mobilization and participation. They define collective identity as:

an individual's cognitive, moral, and emotional connection with a broader community, category, practice, or institution. It is a perception of a shared status or relation, which may be imagined rather than experienced directly, and it is distinct from personal identities, although it may form part of a personal identity. A collective identity may have been first constructed by outsiders... who may still enforce it, but it depends on some acceptance by those to whom it is applied. Collective identities are expressed in cultural materials-names, narratives, symbols, verbal styles, rituals, clothing, and so on-but not all cultural materials express collective identities. Collective identity does not imply the rational calculus for evaluating choices that "interest" does. And unlike ideology, collective identity carries with it positive feelings for other members of the group (285).

Political opportunity theory emphasizes the role of framing in collective action. In particular, Zald (1996) discusses the importance of cultural toolkits in analyzing framing processes. This includes: cultural construction of repertoires of contention and frames, cultural contradictions and historical events, framing as a strategic activity, and competitive processes¹⁷¹ (Zald 1996). Writing about political opportunity structures, McAdam, McCarthy, and Zald (1996) argue that

no matter how momentous a change appears in retrospect, it only becomes an "opportunity" when defined as such by a *group* of actors sufficiently well organized to

¹⁷¹ Zald (1996) also includes a discussion of mass media; however, media is outside the focus of this study so I have not included it here.

act on this shared definition of the situation...such changes encourage mobilization not only through the “objective” effects they have on power relations, but by setting in motion framing processes that further undermine the legitimacy of the system or its perceived mutability (8; *italics in original*).

Therefore, central to collective action are frames. Frames are “an interpretive schemata that simplifies and condenses the world “out there” by selectively punctuating and encoding objects, situations, events, experiences, and sequences of actions within one’s present environment” (Snow and Benford 1992:137). Moreover, by “rendering events or occurrences meaningful, frames function to organize experience and guide action, whether individual or collective” (Snow et al 1986). Frames influence the preferences, judgments, and decisions of an individual; in other words, how something is portrayed may impact on the behavior of an individual, elucidating the relationship between frames and action (Bjornehed 2013). Frames operate as cognitive and emotional tools designed to organize and make sense of events, offering both the actor doing the framing and the audience receiving the frame a means of interpreting what is happening around them and construct meaning (Goffman 1974; Gamson and Modigliani 1989; Bjornehed 2013).

Frames, however, are not static, they do not automatically grow out of structures or ideologies; rather, actors constructing frames are actively engaged in their production and maintenance (Benford and Snow 2000) and represent negotiations of shared social meaning rather than merely reflect individual preferences (Gamson 1992). Framing, therefore, is an interpretive, interactional, active, and dynamic process. Actors construct frames to communicate a (shared) problem, assign blame, provide an alternative arrangement/solution, and urge others to take action (Benford and Snow 2000). When actors engage in a process of framing they are selecting

particular aspects of a perceived reality to communicate the definition of a problem, causal interpretation, moral evaluation, and recommendations for addressing those issues (Entman 1993; Bjornehed 2013). Under these conditions, actors are strategically employing frames as a way of communicating their own self-interests to a target audience, utilizing those frames to persuade those actors to support their interests.

The work of Benford and Snow (2000) drives the analytical approach to framing presented in this thesis. Developing a framework for analyzing frames as tools in social movement mobilization, Benford and Snow (2000) argue that social movement organizations have three core framing tasks: *diagnostic framing*, *prognostic framing* and *motivational framing*. Diagnostic framing consists of problem identification and attributions while prognostic framing involves articulating a solution to the problem and supplying a strategy for achieving that solution. Motivational framing is simply a “call to arms”, supplying the “agency” of the framing process (Benford and Snow 2000). Actors involved in the framing process are, therefore, strategic in their choice of frames, constructing a reality according to their interests and “framing the world in which they are acting” (Bjornehed 2013).

Yet frames are not necessarily the product of intentional manipulation. When activists choose their frames they are attempting to convince others to support their arguments, utilizing ideas and discourse as weapons in political struggles that help agents achieve their ends (Bjornehed 2013). Gamson (1992) argues that collective action frames are, in essence, “injustice frames” which articulate a sense of rebellion against an authority considered unjust. In an injustice frame, “passion for justice is fueled by anger over existing injustice” (Jasper 1998: 414). As Jasper (1998) points out, it is the emotional responses that leaders “appeal to, arouse, manipulate, and

sustain to recruit and retain members” (405). For example, activists work to create moral outrage amongst their target population as a way to cultivate emotions such as blame (Jasper 1998). As later chapters will discuss, rhetoric deployed by NSAG activists emphasized injustice and blamed pahadi groups for historical exclusion from the state.

What makes frames successful? Resonance refers to the effectiveness of frames, determining its success or failure. For Benford and Snow (2000), if an individual is mobilized, the frame has therefore demonstrated resonance. Frames must be relevant to the target audience; they must be both credible and salient (Benford and Snow 2000). For frames to be credible they must exhibit consistency, meaning that claims made and actions taken are congruent; they must correspond to empirical events; and the actors doing the framing must be perceived as credible by the target audience. Inconsistency can “manifest itself in two ways: in terms of apparent contradictions among beliefs or claims; and in terms of perceived contradictions among framings and tactical actions...Hypothetically, the greater and more transparent the apparent contradictions in either realm, the less resonant the proffered framing(s) and the more problematic the mobilization” (Benford and Snow 2000: 620). Furthermore, for frames to be salient, they must be congruent with the values of the target audience, resonate with the cultural context, and reflect the target audience’s lived experience. As Zald (1996) points out, framing almost always draws on the larger societal definition of relationships. For an individual to accept the actions of the framing agent, for example, by becoming mobilized, demonstrates the success of the frame. Snow et al. (1986) pose the following questions when evaluating the success of a frame: “Does the framing suggest answers and solutions to troublesome situations and dilemmas that resonate with the way in which they are experienced? Does the framing build on and elaborate existing dilemmas and

grievances in ways that are believable and compelling? Or is the framing too abstract and even contradictory?” (477).

Yet, Bjornehed (2013) begs the question, “if a separation is made between effectiveness and effect where the effectiveness of frames is connected to resonance whereas the effect is not limited to resonance...can a frame have an effect without resonance” (page)? She succinctly answers “yes”: *perceived* resonance of a frame can be sufficient to influence action pointing out that a narrow focus on the success of frames limits the possibility to see other frame effects (Bjornehed 2013). For example, as the social movement literature has shown, collective identities have lasting impact on political arenas and organizational forms since demand for recognition and altered power relations can permanently change the political terrain (Polletta and Jasper 2001: 297). Social movements produce new norms and new solidarities (della Porta and Diani 2006). Furthermore, one group’s tactics, strategies, and organizational style may influence other groups’ subsequent uses of them; “symbols and strategies resonate with the identities of prior users” (Polletta and Jasper 2001: 297). McAdam, McCarthy, and Zald further argue that the form and timing of collective action is structured by the political opportunity available and, moreover, “the formal and ideological properties of the movement are apt to be more directly influenced by the organizational forms and ideological templates available to insurgents” (1996: 11). Gamson and Meyer (1996) point out that movements may benefit from opportunities created by predecessors and, moreover, “opportunities” themselves are subject to interpretation and might be contested (276). Furthermore, tactics and frames from one movement may provide networks and models for other movements. Zald (1996) writes that movements draw on the cultural stock of “repertoires of contention”, for example, recruitment or tactics of similarly

situated actors. But he is quick to point out that those cultural stocks are both dynamic and variable; actors' accessibility to those cultural stocks vary, since those actors are differently situated in the social structure (Zald 1996). For example, repertoires must fit with the skills and styles of the actors.

Rather than focus solely on the construction and meaning creation of frames, this thesis examines the effect of framing on actors within violent conflict in Nepal. For example, how are the frames *interpreted* and *perceived* by local level civilians? While frame analysis does not predict what kind of action will be taken by the actor, it can help in understanding how and why an action was taken (Bjornehed 2013).

Ethnic Activism

The phenomenon of separatism in a federal state, and federalism in a unitary state, share in the collective action problem (Olson 1965). Two direct problems are associated with collective action: first, coordination and, second, choice (Hale 2008). In other words, how do people come to agree on certain issues and, then, how do they decide between different strategies to pursue their goals? This thesis explores how activist groups seeking ethnofederal provinces in Nepal perceived their attempts to solve coordination and social action problems.

While the focus of this study is on ethnofederalism, this is but one option among a variety of constitutional designs proposed by the members of the Constituent Assembly. North-south divides, provinces based on economic development and, of course, ethnofederal units are all choices available to the members of the electorate. Knowing the options, weighing the pros and cons of each, and arriving at a decision is a complex matter. For this reason, leaders with a

vested interest in one of the options often work to influence a population to support that particular option. Framing shapes how the options are interpreted and how the alternatives are conceived (Hale 2008). “Whether created by others or oneself, regardless of degree of consciousness connected to their formation, frames exert an influence on choice and thus provide an explanation of why actors believe they have the options they do” (Bjornehed 2013).

Why does ethnicity matter in this case? Contrary to primordialist theories, the pursuit of ethnic provinces cannot be reduced to an implicit ethnic desire for autonomy. The answer is rather more complex. First, and perhaps most importantly, in the case of Nepal, ethnofederalism is a concept that was introduced, not by ethnic activists but by the CPN-Maoists, but as a viable constitutional option after the signing of the Comprehensive Peace Agreement. Though, while the Maoists did begin the discussion during the civil war, the idea did not pick up speed with ethnic activists until after the Madhesh Andolan. So, rather than being an idea generated by ethnic groups in the proposed ethnic regions themselves, ethnofederalism has been an idea to which those regions have had to adjust. In other words, the proposal of ethnofederalism helped to foster a strong and particular consciousness of ethnicity and ethnic distinctiveness where it had previously existed in a much different way. That ethnofederalism was proposed by the CPN-M, who legitimized their political stance by winning a majority of seats in the CA, and was fought for by other nationalities in Nepal gave activists in the central-eastern tarai a strong discursive position.

Second, in having to determine how ethnofederal provinces will be drawn out, groups in Nepal have had to determine how ethnicity coincides with territory. This has led, not only to questions about land and land distribution, but to fundamental questions about ethnicity. Who, exactly, is

“*in*” and who is “*out*”? These are questions with which participants in this project have grappled, as later chapters will reveal. However, such a phenomenon clearly demonstrates the relational theory of ethnicity. Ethnicity, rather than being “black and white” (you’re “*in*” and you’re “*out*”), becomes something inferred or estimated. Used as a “rule of thumb” (Hale 2008), people attempt to assess history, allegiance, and potential behavior in compact time and space, asking “what “thickness” do we share”? Therefore, ethnicity becomes significant in social relationships, particularly when heightened by political questions such as, “should we become an ethnofederal state”?

For example, for most people in the central-eastern tarai, the term “ethnofederalism” might have little meaning, particularly in a situation of less than perfect information availability. However, the phrase “ek Madhesh, ek Pradesh” (“one Madhesh, one province”) means something much more powerful, based on past experiences of perceived oppression and future aspirations of self-determination. Henry Hale writes, “Nationalism becomes vocalized as a supreme value in its own right not so much because it actually is a supreme value in its own right but because nationalists firmly believe that the ideal is not possible in a state controlled by another ethnic group and that giving in now might set a precedent for long-term constriction of life chances” (2008: 70). In other words, there is a belief amongst activists that the central government will not “follow through” with promises of equality and representation, for example, in a re-designed unitary state and that, only through agitation for an autonomous federal unit (based on ethnicity) can the people of that region ensure that they will receive equal treatment and access to resources. As such, *perception* of the central government becomes paramount. For example, in assessing whether to mobilize for a new ethnofederal province or remain as part of a unitary

state, activists must determine whether a central government is exploitative or accommodating. This assessment is both a historical and future-looking exercise. As Hale points out in the case of separatism, but that which also holds true in this case, the task for activists becomes shaping regional beliefs regarding the nature of the central government (2008: 72).

In Nepal, as in the former Soviet Union, “individuals within a group are more likely to feel disconnected from control over their own fates when members of another group are predominantly in charge of a union state” (Hale 2008: 79). As such, members of a particular group might feel that exploitation on the part of the central government, that which is dominated by members of a different ethnic community, would likely be higher under the existing unitary state as compared to an autonomous ethnofederal province. Yet, as Hale points out, the driving force behind [ethnofederal] activism is not *inherently* ethnic, rather, it is the fear of exploitation; ethnicity, in this case, is a mechanism for assessing the risks involved (2008: 80). Hale writes,

Ethnicity affects the outcomes not by influencing preferences, but by informing strategy. Ethnicity, at its root, is thus neither simply a coordination mechanism nor merely a tool that is “used strategically” by elites or other actors, as ethnicity-as-epiphenomenal theories typically conjecture. Instead, ethnicity helps provide the risk assessments that influence what strategy people believe will lead to the greatest expected gains...it is not simply a way to realize one of these strategies after they have already been chosen. Ethnicity is neither inherently conflictual nor epiphenomenal. It does not make a region prefer separation to other outcomes, yet it can lead people to emphasize the danger of exploitation that is inherent in any political union, thereby putting separatism on the table among the set of potentially viable solutions (2008: 80).

In the case of Nepal, this rings true, albeit in a non-separatist sense. As noted above, ethnofederalism was not necessarily an initial grassroots preference but ethnofederal activism has become a strategy within Nepal to achieve a particular constitutional figuration.

Wimmer argues that “ethnicity is therefore not an aim in itself, but a perceptual lens through which individuals identify reliable alliance partners as well as they organizational means through which they struggle to gain access to state power and its public good” (2013: 172). This argument underlines the conditions under which the logic of ethnic solidarity comes into play and the power configurations that make an escalation into armed conflict more likely (Wimmer 2013: 172). Ethnic and national identities result from the dynamics of political competition and alliance and, as such, ethnicity is a perceptual framework through which individuals define their interests and struggle to gain power (Wimmer 2013: 200). Moreover, Wimmer (2013) explains that “ethnic aims” refer to ethno-national self-determination, a more favorable ethnic balance of power in government, ethno-regional autonomy, the end of ethnic and racial discrimination, or recognition of language and other cultural rights (159).

This thesis argues that ethnofederalism helps to make ethnic identity important; ethnofederations “are institutional structures that internalize the importance of ethnicity by creating ethnic regions...ethnicity becomes entrenched in the constitution which defines the main political organization of a country and cannot be changed easily” (Deiwiks 2011: 13). This is consistent with Bakke and Wibbel’s (2006) findings that federalism can politicize both ethnicity and inequality. This is also consistent with Basto (2010), who argues that approaches to understanding ethnofederalism have relied on ethnicity as an explanation with little examination of the political context in which such an arrangement was proposed.

Yet, ethnic identities are not a causal explanation for violent conflict. Wimmer (2013) argues that violent conflict is a result of high levels of political inequality and ethnic underrepresentation in

government. Conflicts ensue when actors demand a state of their own, fair representation in government, or an end to political exclusion (Wimmer 2013: 151). Exclusion links ethnic politics to violence (Wimmer 2013). Wimmer (2013) posits that rebellion occurs when there exists a high level of ethnic exclusion because “it decreases the political legitimacy of the state and thus makes it easier for political leaders to mobilize a following among ethnic constituencies and challenge the government for violating the principle of ethnic representativity” (151). Similarly, Hale (2008) argues, fear of exploitation based on ethnicity results in mistrust towards the group in power. As a result, elites might engage in ethnic outbidding, “the increased and often excessive use of an ethnicity-related agenda” (Deiwiks 2011: 14) to mobilize support (Brubaker 2002). Elites, therefore, “select aspects of the group’s culture, attach new value and meaning to them, and use them as symbols to mobilize the group” (Brass 1979 in Deiwiks 2011: 14). Ethnic elites are more likely to facilitate collective action than non-ethnic elites (Bakke and Wibbles 2006).

Leaders in the central-eastern tarai, therefore, were in a position to influence people’s perceptions, not only of the possibility of an autonomous province (within a federal structure), but how realistic that possibility might be¹⁷² (Hale 2008). As Bakke and Wibbels (2006) point out, “in contrast to unitary systems, federalism is built on the premise of providing voice to geographically concentrated issues. Thus, in a federation, the issue of inequality is likely to be politicized in a uniquely geographic manner” (13). Activists, therefore, were arguing that

¹⁷² A study of why various leaders framed choices differently is beyond the scope of this thesis; however, chapters eight and nine analyze the arguments presented by non-state armed group leaders in the central-eastern tarai and the reception of both rhetoric and strategy by local residents.

devolving power from a unitary state dominated by pahadis to ethnofederal units invested with self-rule was in the interest of the constituents in that region.

Yet, such framing strategies cannot simply be explained as elite manipulation, whipping up ethnicity as a tool out of thin air to mask alternative aspirations such as power or wealth. That is not to say that such manipulation does not exist at some level; however, it does little to account for the use of ethnicity in such a manipulation in the first place (Hale 2008). Leaders recognize the intrinsic meaning of ethnicity for people, and this has important implications (Hale 2008). Ethnofederal activism in the central-eastern tarai was, therefore, not “pre-destined” or written into its cultural genes, as primordialist theories would have it. Nor is it simply a tool used by elites to distract people while they served their own political and economic interests. Rather, as a collective action problem, the ethnic lens magnified (Hale 2008: 157) the perception of past exploitation and offered a way of calculating the probability of future exploitation within a unitary state. The relational theory, therefore, “assumes that no one acts out of any kind of ethnic motive and that the only difference between masses and leaders is that the latter hold framing power while the former do not. What leaders do is essentially frame choices that the masses must make...masses may be aware of manipulation, but they still must respond to the presented choice” (Hale 2008: 159). Chiefly, the power to frame an issue could mean the difference between garnering popular support for an ethnic province or not.

The Madhesh Andolan in 2007 pushed the issue of ethnofederalism even further. Reacting to the fact that the Interim Constitution included nothing about federalism, activists took to the streets in protest for three weeks. The Government of Nepal thus amended the Interim Constitution to

include provisions for federalism after signing a 22-point agreement with the Madhesh Janadhikar Forum (MJF) in August 2007. The United Democratic Madheshi Front (UMDF) formed one year later, comprised of three parties: MJF, Tarai Madhesh Loktantrik Party (TMLP), and Sadbhawana Party, with the goal of uniting the tarai into a single autonomous province of Madhesh.

As della Porta and Diani (2006) point out, the presence of certain discourses on controversial issues are likely to affect the movement's chances of success. The prospect of ethnofederalism was already apparent before non-state armed groups began engaging with the frame of "ek Madhesh, ek pradesh". The frame of ethnofederalism and, subsequently, "ek Madhesh, ek pradesh" was constructed by actors other than central-tarai based non-state armed groups. However, such a proposal resonated with NSAGs and, to a certain extent, central-tarai based constituencies. Furthermore, national-level politicians representing Madheshi issues (i.e. MJF and TMLP), regardless of whether or not they were wholly supportive of the idea of "ek Madhesh, ek pradesh", were "stuck" with ethnofederalism as a viable constitutional proposal. Once the ethnofederal proposal was set on its path, it was difficult for national leaders, like MJF or TMLP, to argue for a different constitutional arrangement. Other strategies were viable, unlike in countries such as Yugoslavia (Basto 2010), yet ethnic activists in the central-eastern tarai, and elsewhere, fought hard for ethnic provinces. The force of the ethnofederalist proposal resulted in a lack of maneuverability for national-level politicians and non-state armed groups alike. Backtracking on the question of ethnofederalism would result in steep political costs (ICG 2011); endorsing an anti-(ethno)federal stance would be perceived as being contrary to popular will. Reflecting the theory of path dependency, certain frames may "trap" leaders and activists. In this

way, frames demonstrate dual capacities: to be enabling or restricting. Frames may make certain options available while, at the same time, they may disclose others.

Framing Madheshi/Pahadi Identity: Identity Assertion

Today, groups are finding new ways of making claims on the state. Instead of forming and asserting a pan-Nepali identity, as advocated for by the state until 1990¹⁷³, today, groups are seeking to unearth distinctive “ethnic” characteristics (Shneiderman 2010) which demonstrate the hybridity of the nation. A primary driver for such action has been the election of a Constituent Assembly, tasked with federal restructuring along ethnic lines.

Federalism has emerged as a key demand of all Madheshi activist groups (ICG 2007d). On 14 September 2009, the MPRF submitted its federal model with “one Madhesh, one province” comprising 20 districts in the southern plains¹⁷⁴ (Republica, n.p.). Madheshi leaders are demanding “‘liberation’ of the entire Terai by redrawing the region into a single autonomous unit called Madhes that will have the right to self-determination under Nepal’s yet to be finalized federal system” (Miklian 2008: 5). Armed groups in the central-eastern tarai also used the slogan of “ek Madhesh, ek Pradesh” to raise support for their cause. In the ethnofederalist proposal, political organization of the region is based around ethnicity, thus ethnicity is utilized as a frame for mobilization. Additionally, perception of inequality, marginalization, and exclusion are discussed as motives for mobilization. The prospect of a changed political-administrative setting based on ethnicity increases the politicization of identity, the salience of ethnicity, and provides

¹⁷³ In 1990 democracy returned to Nepal and discussions around ethnicity were now possible in the public sphere.

¹⁷⁴ Those districts include Kanchanpur, Kailali, Bardiya, Banke, Dang, Kapilvastu, Rupandehi, Nawalparasi, Chitwan, Parsa, Bara, Rautahat, Sarlahi, Mahottari, Dhanusa, Siraha, Saptari, Sunsari, Morang, and Jhapa.

the means for mobilization (Deiwiks 2011). The ethnofederalist proposal, I argue, offers the link between grievances and collective action.

Activists in the tarai sought revenge against years of perceived and real exclusion and marginalization, much of which had been the inherited policies, practices, and attitudes of those in seats of power before them¹⁷⁵. Madheshi activism in the central-eastern tarai is largely reduced to rhetoric surrounding “Madheshi-Pahadi” tensions. Yet, such rhetoric cannot be simply reduced to provocations of communalism; rather, they must also be viewed as grievances directed at a hill-dominated state system which has historically excluded Madheshis. For many Madheshis, “pahadis” (as a “unified” and “indivisible” group of people) have been the source of their marginalization and discrimination since the birth of “Nepal”, as they have traditionally been decision-makers in seats of power in Kathmandu. Assertion of Madheshi identity is a manifestation of the “discontent against the systematic exclusion of the Madhesh by the state and also a quest for inclusion of Madheshis in many forms, by the establishment of federalism in particular” (Hachhethu 2007: 3). The promise of a “new Nepal” brought with it hope of structural change and a reversal of discriminatory policies. As Benford and Snow point out,

The cultural material most relevant to movement framing processes include the extant stock of meanings, beliefs, ideologies, practices, values, myths, narratives, and the like, all of which can be construed as part of Swidler's metaphorical "tool kit" (1986), and thus which constitute the cultural resource base from which new cultural elements are fashioned, such as innovative collective action frames, as well as the lens through which framings are interpreted and evaluated. From this perspective, movements are "both consumers of existing cultural meanings and producers of new meanings" (in Tarrow 1992:189).

¹⁷⁵ However, this does not exclude the free will of those individuals to choose racist attitudes and strategies of marginalization and exclusion.

Ethnic consciousness in the central-eastern tarai, and elsewhere in Nepal (Shneiderman 2010) has not always been defined by a group's relationship to the state. However, at certain historical moments, assertion of certain "ethnic" narratives and culture can become a political tool for state recognition where such recognition is perceived as being valuable and benefits may be derived from it. As Shneiderman puts it, "[f]or groups engaged in the ever-changing 'politics of recognition', control over the 'terms of recognition' can be an essential implement in [their] toolkit" (2010: 307).

The anger that many Madheshis felt towards "pahadis" was, by way of one explanation, perhaps intentionally misdirected by elites in the tarai; in other instances, it may have simply been outright racism. Keen notes that "elites have frequently sought to deflect political threats by inciting violence along ethnic lines" (Keen 2008: 22). Elite manipulation of rhetoric is one way of bolstering support for a cause. But, just as "Madheshi" identity is complex, so too is "pahadi". Again, echoing Keen (2008) and Turton (1997), "ethnicity" is not straightforward; it must be examined and explained.

This thesis does not assume that members of an ethnic group, like Madheshis, share common interests or common visions. Representing ethnic groups or ethnic activists as unitary, homogenous actors would be misleading (della Porta and Diani 2006). As ethnic entrepreneurs (Brubaker 2004), leaders of non-state armed groups attempt to assert a particular vision of what it means to be Madheshi. In so doing, they employ a variety of tactics to induce co-nationals to invest in their framing and vision for the community. Brubaker (2004) reminds us that ethnopolitical entrepreneurs have a performative character and may live "off" as well as "for"

ethnicity (10). “By invoking groups, they seek to evoke them, summon them, call them into being. Their categories are for doing—designed to stir, summon, justify, mobilize, kindle, and energize” (Brubaker 2004: 10).

Politicians have actively shaped public discourse around ideas of identity; ideas which do make people ready to give their lives “in the name of the nation, in the name of the state, in the name of personal rights”. Within the literature on federalism as a conflict management tool, Brancati (2006) argues that decentralization can encourage the growth of regional parties which can increase ethnic conflict indirectly by reinforcing ethnic and regional identities, producing legislation that favors certain groups over others, and mobilizing groups to engage in ethnic conflict. In the case of the central-eastern tarai, we can see how the growth of regional parties such as MJF and TMLP and, later, the umbrella party of UMDF pushed for ethnofederalism.

Jason Miklian describes the evolution of the Madhesi-pahadi rhetoric:

Political elites in the Terai recognized how ethnic divisions could be used to mobilize supporters and pressure Kathmandu, and began to build a Madhesi identity movement along similar lines...MJF documents during the war were integral in the effort to reframe the word ‘Madhesi’ to incorporate ethno-racial elements¹⁷⁶. The MJF hand-selected historical events damning to Pahadis, dismissing others that muddled their claim of Madhesi as a uniform people. MJF pamphlets demonize Pahadis from the Kathmandu valley, accusing Pahadis of operating a ‘colony of torture’ rooted in racial discrimination, with Madhesi ‘under the threat of extinction’ due to their domination and suppression by Pahadis ‘since the foundation of the state of Nepal...at all levels’ of society. Madhesi are not just Terai citizens, but a true ethnicity with caste structures, languages, names, and religious rituals distinct from both Indians and Nepali Pahadis. Madhes identity was

¹⁷⁶ Miklian writes, “In common usage, ‘Madhesi’ now refers specifically to non-tribal, caste Hindus of Indian origin that live in the Terai, thus adding racial/ethnic connotations in addition to the geographic association. Those living in the Terai who do not fit this definition (including Muslims, Tharus, Pahadis, and indigenous groups who predated Madhesi immigration) are therefore not officially ‘Madhesi’, but foreigners” (2008: 4).

thus re-invented, incorporating ethnicity, caste, and class in addition to geography (2008: 4).

However, for some people this binary was a familiar way for them to understand the world; understandably so because of the long history of institutionalized hierarchy. Evaluating the success of the Madhesi-pahadi rhetoric used by national politicians, Jason Miklian (2008) writes that Madhes identity has been used in order to turn historical grievances into political opportunities, mobilize grassroots support and justify violence against the state (5). The UDMF¹⁷⁷ has shifted the definition of Madhes from its geographic origins into a racial and ethnic identity has benefited the UDMF by

- “Requiring any Terai political leaders to be Madhesi. In the process, this disqualifies members of the traditional Kathmandu power elite that wish to dictate policy in the Terai, ensuring that the Terai is the exclusive domain of UDMF leaders.
- Enabling the UDMF to forward a historical narrative that rewrites the complex history of the Terai. By reframing history through the lens of current events, UDMF politicians can dismiss inconvenient facts. For example, most of those who identify themselves as ‘Madhesi’ can only trace their Terai roots to around 1955. The Madhesi narrative excludes those indigenous groups who populated the Terai before this migration.
- Polarizing society into a ‘Pahadi vs. Madhesi’ dichotomy, allowing Madhesi leaders to scapegoat a monolithic ‘Pahadi’ population as cause for varying social and economic ills. Although discrimination against the Madhesi community from the Kathmandu elite is evident in almost every sphere of bureaucracy, many ethnicities lumped under the constructed ‘Pahadi’ umbrella have been equally passed over in favor of traditionally well-connected castes and groups, such as high-caste Bahun and Chhetri Pahadi groups” (Miklian 2008: 5).

As later chapters will argue, such framing at the national level, by Madhesi politicians, has also benefitted non-state armed groups in the central-eastern tarai by providing a rhetorical template.

¹⁷⁷ UDMF is the acronym for United Madhesi Democratic Front, which is a coalition of Madhesi political parties in Nepal.

Conclusion

Ethnofederalism is concerned with territorial division of power based on ethnic identity and, in the case of the central-eastern tarai, is directly associated with the concept of borderlands. This thesis argues that the prospect of institutional change, in the specific form of ethnofederalism, has shaped notions of identity and ethnicity and has provided the framework for violent activism and, specifically, the emergence of non-state armed groups in the central-eastern tarai. Thus, institutions matter; this research demonstrates that the proposal for ethnofederalism is bound in the historical and cultural landscape of the country and has shaped conflict in specific ways in the central-eastern tarai.

This chapter has situated the project in contrast to studies of ethnofederalism which have an evaluative focus on already established institutional arrangements by examining, instead, the prospect of ethnofederalism as a new administrative arrangement; the prospect of which has shaped local-level violence.

The chapter has further presented a discussion of collective action, and presented political opportunity theory as a way of understanding mobilization of non-state armed groups in the central-eastern tarai. Though, in this project, political context and activist agency is emphasized within this theoretical approach; activist (NSAG) perception of the political “openness” of the postconflict context provides an avenue for activists to mobilize and exert influence. NSAG leaders recognize and utilize issue-specific variables and rhetorical templates centered around state restructuring and Constitution writing, Maoist ascendancy to power within Constituent Assembly, and the Madhesh Andolan to pursue their activities.

As such, NSAGs use specific frames to recruit and mobilize support for their cause. Central-eastern tarai based non-state armed groups have used the proposal of ethnofederalism as a “call to arms” to mobilize support for their activities. Examining frames used by NSAGs offers an analytical window to explore how those frames are *interpreted* and *perceived* by local level civilians and, furthermore, it can help in understanding how and why certain actions were taken. Specifically, in this project, discussions around (Madheshi and pahadi) ethnicity have become salient. However, ethnicity itself is not a causal explanation for violence. In response to the ethnofederal proposal, groups in Nepal have had to determine how ethnicity coincides with territory, thereby politicizing ethnicity in the process. Furthermore, rhetoric around ethnicity in the central-eastern tarai also stands in for discussions around inclusion and exclusion in relation to the central government and the ways in which equal treatment and access to resources is ensured; leaders were therefore in a position to influence people’s perceptions about the nature of the state-regional relationship. The ethnofederalist proposal, therefore, provides the link between grievances and collective action on the part of NSAGs.

Later chapters present interview material with both NSAG participants and local civilians that examine framing and collective action, addressing the questions that this research project sets out: how do civilians and conflict actors understand and experience postconflict violence?

CHAPTER SEVEN

The Everyday Life of “Postconflict” in the Central-Eastern Tarai

This chapter turns its focus to civilian voices in the borderlands and examines the ways in which social relationships are being reconfigured in the postconflict period. Furthermore, it demonstrates the new, and uniquely, politicized contestations in a post-CPA Nepal; political work that belies the common understanding of the term “postconflict”. It foregrounds an understanding of the ways in which local people experience and interpret the world around them and presents original ethnographic data that focuses on the second part of the central research question: “*how have civilians in the central eastern tarai experienced continued violent conflict*”? Through extensive interviews and focus group discussions with local civilians during my fieldwork period, this chapter presents local experiences of “postconflict” violence in the history of Nepal.

“Postconflict Transition”

I moved to Janakpur shortly after Uma Singh was murdered¹⁷⁸ and lived there throughout the Pramananda Jha controversy¹⁷⁹. *Bandhs*¹⁸⁰ were as common as the sunrise and bomb blasts made the papers daily¹⁸¹; one even exploded next to my Biratnagar hotel one summer night. But, as

¹⁷⁸ Uma Singh was a journalist in Janakpur who reported for the newspaper *Janakpur Today* and broadcasted from *Janaki FM*. She was attacked and killed in January 2009. There are several theories that attempt to explain her targeted death but the fact remains that a group of between 10 and 15 men came entered Singh’s home and stabbed her to death. The result of her murder—aside from deep mourning across the community-- was a widespread unease in Janakpur, increased safety concerns, and a change of habit in public spaces.

¹⁷⁹ Pramananda Jha is, at the time of this research, the Vice President of Nepal. Jha is from Dhanusha district and has a home in Janakpur. Controversy arose when he took his oath in Hindi (activism around this also occurred one year later, during the time of my fieldwork). Activists called for his resignation, others praised him for his act, some sent him death threats. Throughout this period, Nepali and English language newspapers (for example, in my neighborhood, Kantipur, Himalayan Times, Republica) were burned and bombs were exploded in defiance.

¹⁸⁰ Strikes.

¹⁸¹ In the first six months of 2009, 513 bandhs, nearly three per day, were called across Nepal (Pokhrel 2009).

Jason Miklian writes, “local and international observers were surprised to see new fighting erupt in southern Nepal, within a region known as the Terai¹⁸²,” (Miklian 2008: 3).

When interviewing a local Madheshi academic in March 2009, he explained to me: “a volcano does not erupt suddenly. It appears to have erupted suddenly but it takes centuries. In the same way, it was the collective eruption of different factions. Conflict was going on under the surface [and] when an opportune moment came it erupted suddenly and collectively; it would be wrong to say it was the doing of Mr. X or Mr. Y” (author interview March 2009). I had asked him about life in “postconflict”.

K: What has life been like in the postconflict period?

RB: My dear, we aren’t in a state of postconflict

K: Perhaps it’s better if I say Nepal’s transition then?

RB: Transition? Ever since I’ve been alive this country has been in transition. So what exactly do you mean by the term transition? (author interview March 2009)

What I came to learn, over time, was that for tarai communities the term “postconflict” held very deep meaning in people’s everyday lives. Some (forcefully) denied its existence in their daily reality. And for others, as a political term, it fueled resentment; “*pahadi* communities are perhaps enjoying postconflict”, some would say, “but we are on the verge of war in Madhesh” (author interview April 2009).

¹⁸² Tarai is variously spelled “tarai” and “terai”. In some literature it is capitalized and in others not. All refer to the same region.

Over the course of my fieldwork local civilians often challenged, and therefore shaped, my research topic, underscoring the importance of inductive research. For example, in one focus group discussion I heard the following: “what I have to say is [that] her research topic is ‘postconflict’ but the situation is not postconflict here in Madhesh. There is the end of conflict in Kathmandu but the conflict is still going on in Madhesh. Therefore we are not in the state of postconflict, we are still in conflict. Before also I told her to revise her topic so that she understands that we are still in conflict” (author interview July 2009).

Clearly, local civilians and activists alike felt that there was a disconnect which existed between the narrative of ‘postconflict’, upheld by international observers and government representatives, and the experiences of their daily lives. The sections below build on the historical and contextual information presented in chapters three and four to explain the landscape of violent conflict in Nepal.

Statistics of Violence in Nepal 2007-2009

While some forms of violence that were prevalent during the Maoist war have ceased with the signing of the CPA¹⁸³, there are other forms of violence (and associated threats) that, in some senses, are becoming more mainstream in contemporary Nepal (Maycock 2011). During the years 2007 to 2009, the tarai remained “the most insecure region in Nepal” (IDA et al 2011: 11). Results of a 2007 Saferworld survey on attitudes about safety, security, and justice in Nepal revealed significantly higher levels of insecurity in the tarai than elsewhere in Nepal; 38 percent of respondents in the central region and 32 percent from the eastern region were “very worried” about becoming victims of crime, compared with seven percent in the western region and one

¹⁸³ For example, attacking police posts, direct confrontation with security forces, and mass abductions.

percent in the far western region (IDA et al 2011: 12). Violent incidents in the central-eastern tarai region include killings, abductions, bombings, extortion, intimidation, rape, and extrajudicial killings.

In the central-eastern tarai, non-state armed groups rarely challenge the state directly, as the Maoists did during their decade-long war. Rather, groups seek to pursue their own agenda within the confines of the state to achieve their goals (SAS 2013b) which include regional autonomy for Madhesh as well as profit-making. Even less rarely do NSAGs attack one another. Rather, violence is most often directed at the local population. This was seen most obviously during the Madhesh Andolan when pahadis were targeted, but rates of extortion, abduction, and murder of local Madheshi civilians remained high between the years 2007 and 2009.

Most armed groups carry out abductions, “ primarily of *pahadis* but increasingly of Madhesis as well; stealing property and confiscating land, mostly from *pahadis* but also from Madhesis; attacking government posts and carrying out bombings; and threatening *pahadi* administrators” (ICG 2007d: 20-21). For a contextual understanding of rates of violence, the table and figures below demonstrate the physical violence, specifically abduction and murder rates, that occurred both during the official record-keeping of the “People’s War” and the years that followed, 2006 to 2009. Figure four offers a contextual point of comparison for the numbers represented in figures five through eight.

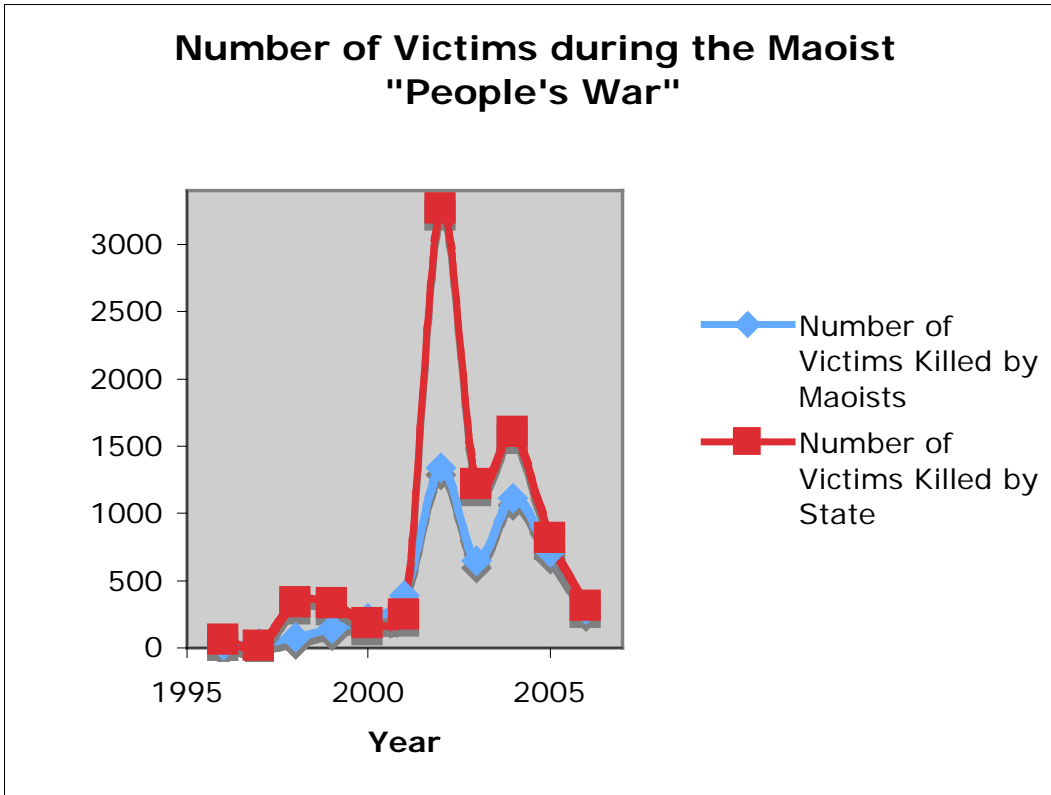


Figure 4: Number of Victims Killed During the Maoist “People’s War” Years

Source: Informal Service Sector Center¹⁸⁴

Two prominent agencies have kept data on violent incidents in Nepal: the Informal Service Sector Centre (INSEC) and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). INSEC is a non-profit organization which collects data on human rights violations that is published monthly. All data is then compiled into a yearly published Human Rights Yearbook. OCHA also collects data monthly, but focuses on killings, abductions, and improvised explosive devices (IED) explosions.

The figures below present data on reported killings in the tarai compiled by INSEC:

¹⁸⁴ Compiled from INSEC Human Rights Yearbooks 2008, 2009, 2010.

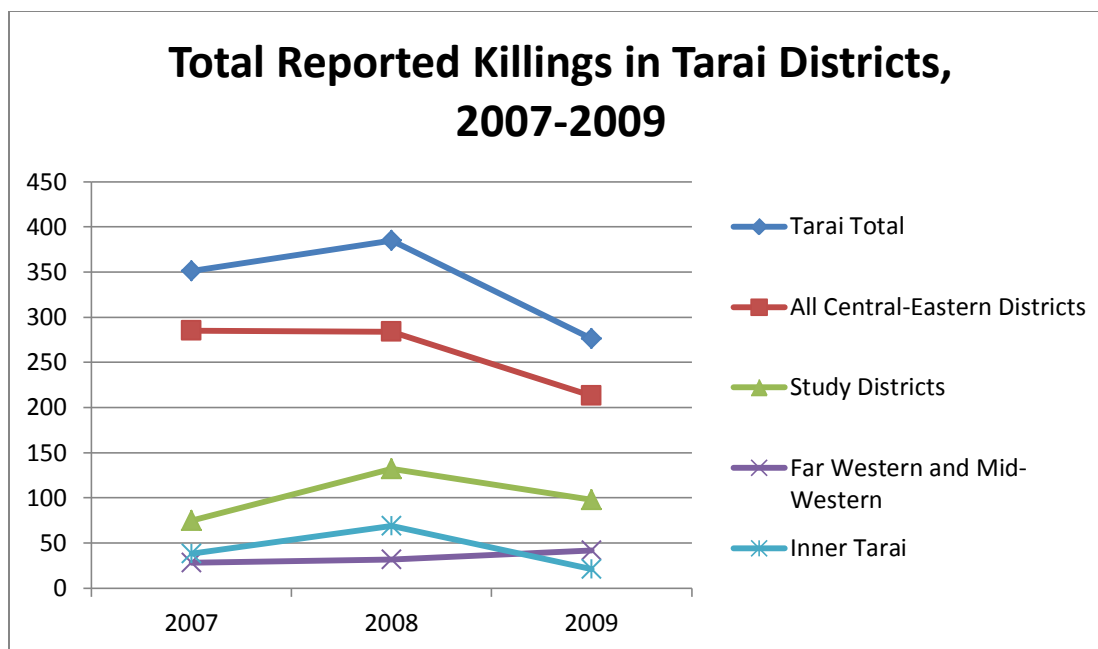


Figure 5: Reported Killings in the Central-Eastern Tarai, 2007-2009

Source: *Informal Service Sector Center*¹⁸⁵

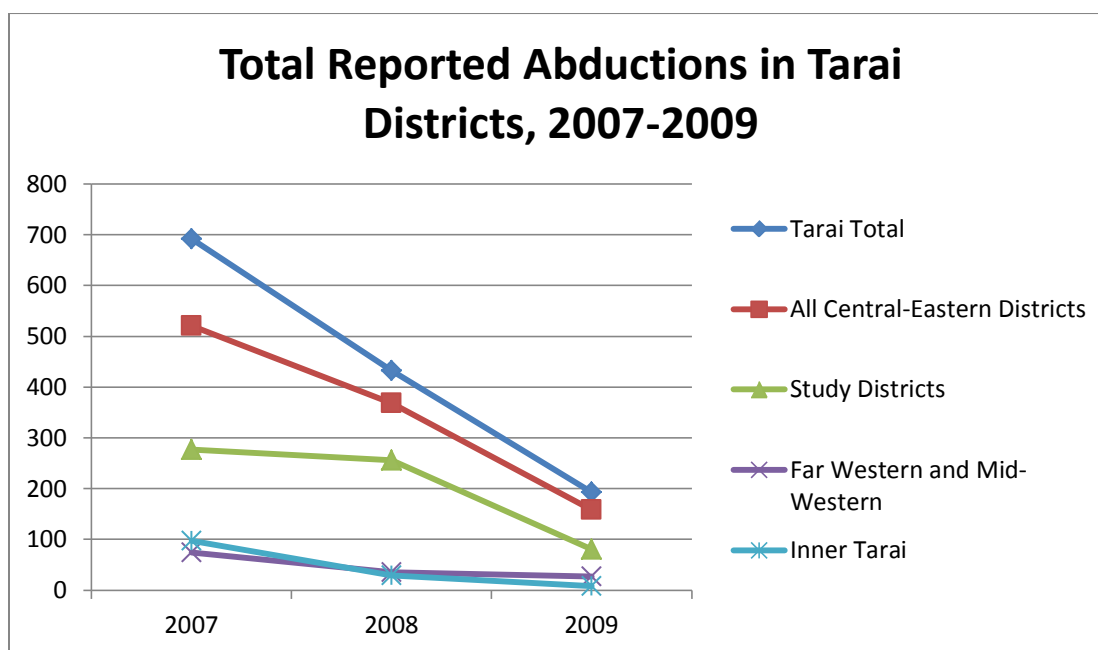


Figure 6: Reported Abductions in the Central-Eastern Tarai, 2007-2009

Source: *Informal Service Sector Center*¹⁸⁶

¹⁸⁵ Compiled from INSEC Human Rights Yearbooks 2008, 2009, 2010.

¹⁸⁶ Compiled from INSEC Human Rights Yearbooks 2008, 2009, 2010.

Figure five shows that reported killings rose steadily from 29 in 2007 to 116 in 2008 to 175 in 2009. These figures roughly correspond to the reported killings during the early years of the Maoist war, between 1996 and 1998, as shown in figure four. However, levels of killing in the central-eastern tarai do not reach the levels of the later years of the Maoist war, such as between 2001 and 2004. Figure six shows a rise in abductions consistent with the rise in reported killings in the central-eastern tarai between 2007 and 2009. As shown in figure seven, abductions rose five-fold from 32 in 2007 to 163 in 2008 before declining slightly to 161 in 2009.

In the tarai as a whole, the Informal Service Sector Center (INSEC) reported a total of 1,883 killings from April 2006 to June 2010¹⁸⁷ (ICG 2010a: 2). According to the International Crisis Group, in 2007, “297 out of 545 killings (54.5 percent) and 521 out of 1,007 abductions (51.7 percent) took place in the twelve tarai districts from Chitwan to Jhapa. In 2008, the same region witnessed 282 of 541 killings (52.1 percent) and 368 of 729 abductions (50.5 percent). In 2009, 213 of 473 killings (45 percent) and 158 of 281 abductions (56.2 percent) took place in the twelve districts” (2010a: 18)¹⁸⁸.

The figures below represent data on total reported killings in 2008 compiled by OCHA and provide a more detailed monthly snapshot of security incidents in the central-eastern tarai¹⁸⁹:

¹⁸⁷ See INSEC 2008, 2009, 2010.

¹⁸⁸ These statistics were compiled from original data collected by INSEC and published in their Human Rights Yearbooks in 2008, 2009, and 2010.

¹⁸⁹ The year 2008 was chosen as a median year between the study years of 2007-2009. The information represented in these figures show reported monthly incidents as compared to figures 5 and 6 which show 3 years’ of reported incidents occurring between 2007 and 2009.

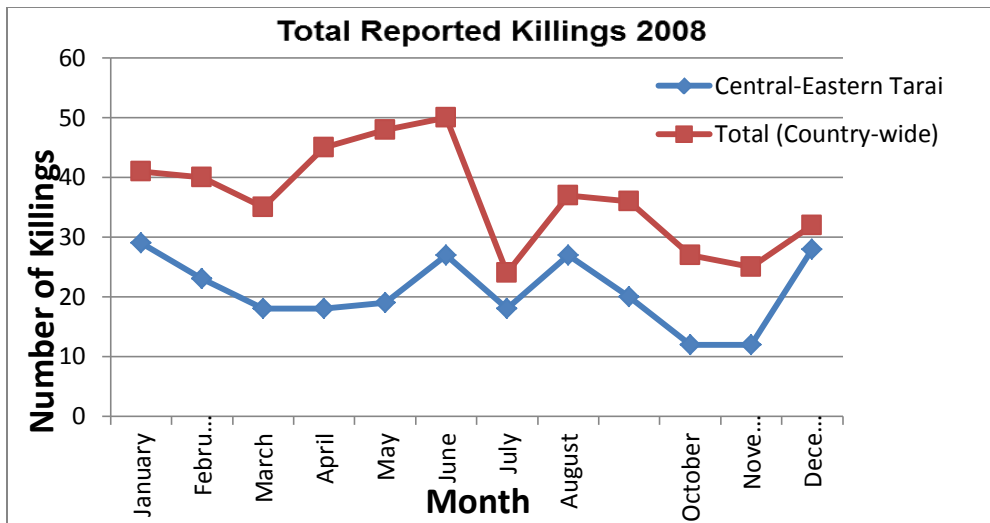


Figure 7: Total Reported Killings 2008

Source: OCHA Nepal Reports of Security Incidents in 2008

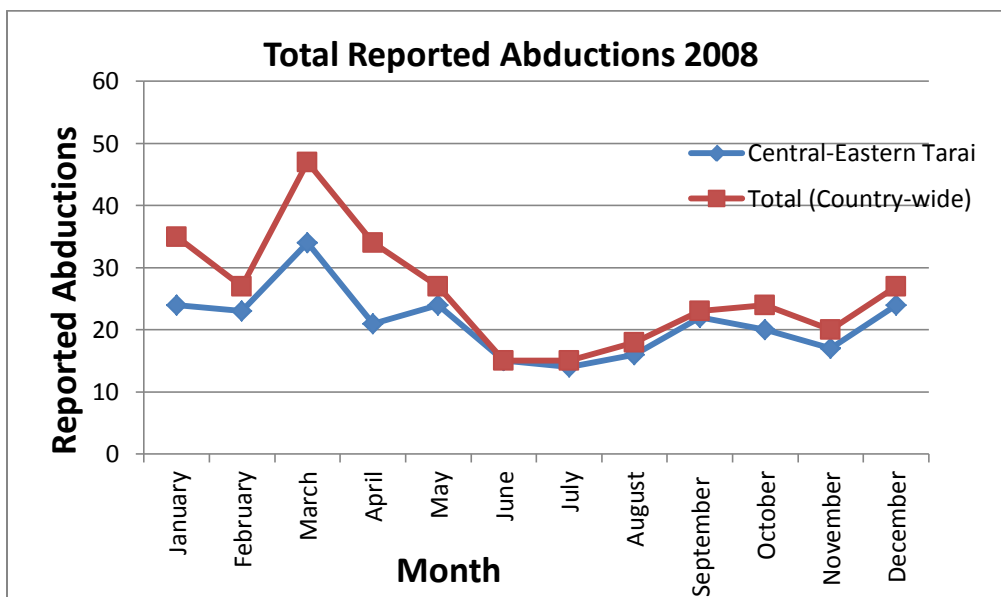


Figure 8: Total Reported Abductions 2008

Source: OCHA Nepal Reports of Security Incidents in 2008

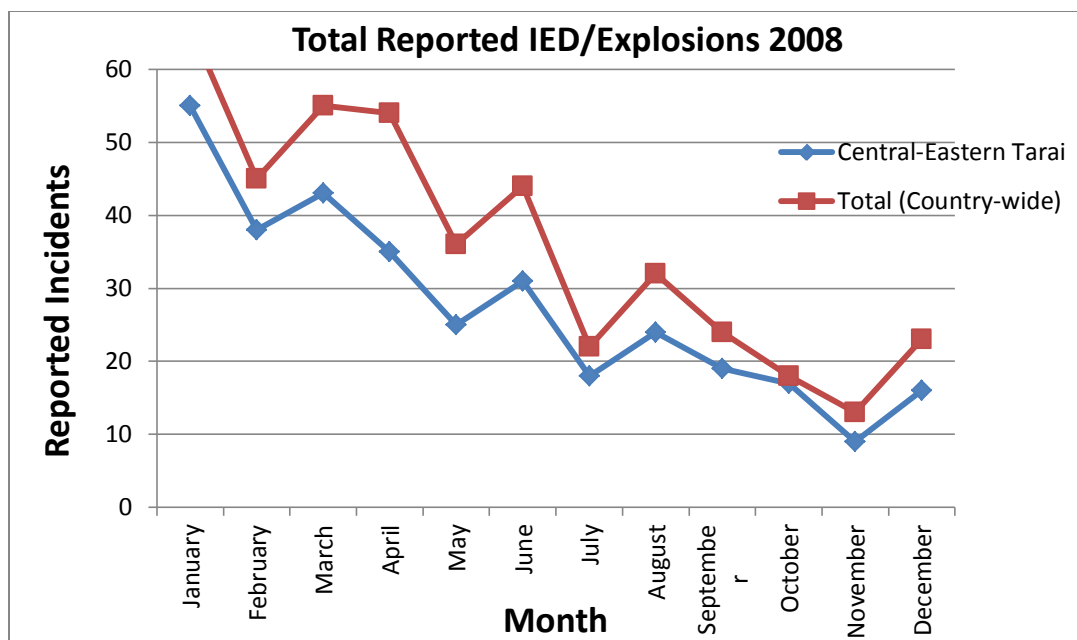


Figure 9: Total Reported IED/Explosions 2008

Source: OCHA Nepal Reports of Security Incidents in 2008

Figures seven through nine represent the total reported killings, abductions, and IED explosions respectively, as tracked by OCHA in 2008. The graphs above demonstrate interesting trends in violent actions in the region over time. Figures seven through nine demonstrate that the central-eastern tarai region reported the most security incidents in 2008¹⁹⁰. Of the total killings reported country-wide in 2008, the central-eastern tarai accounted for nearly 60 percent of cases. Reported killings rose steadily from January to June 2008 and then remained steady, with only slight fluctuations from August to December 2008. The total reported number of abductions in the central-eastern tarai accounted for over 80 percent of the country's cases, while reported IED explosions accounted for over 75 percent of the country's reported cases. Abductions in the

¹⁹⁰ IDA et al 2011 reaches the same conclusion for the years 2007 through 2009: "An analysis of OCHA incident reports indicates that the most dangerous regions have been the Eastern and Central Terai, with the areas reporting the most killings in 2007 through 2009" (12).

central-eastern tarai peaked in March 2008¹⁹¹ before they declined to their lowest point in June. Reported abductions rose slowly between July and December. The general trend of IED explosions in the central-eastern tarai in 2008 shows a downward trend.

However, since OCHA tracks only those incidents that are reported, there is the possibility that these numbers are not representative of the levels of violence occurring. For example, individuals often select not to report certain incidents; in the case of abductions, individuals and families might prefer to negotiate with captors rather than report those cases to the local police (author interviews 2008-2009; IDA et al 2011). As an international security analyst explained, “We’ve tried to look at statistics but they’re very unreliable. Not all offences are reported to authorities and the police may be keen to downplay or under-report incidents that have political implications” (ICG 2010a: 29).

While the data presented in four through nine are important in expressing the frequency of reported physical violence in Nepal, they do not necessarily capture the *sociality* of that violence. In other words, what have been the impacts of such violence on the community? The sections below present local civilians’ experiences and perceptions of violence in the central-eastern tarai.

Experiences of Violence

Madhesh Andolan

Two months after the Comprehensive Peace Agreement was signed, in January 2007, the Maoists and the Seven Party Alliance (SPA-M) unveiled the Interim Constitution and announced

¹⁹¹ It should be noted that the Constituent Assembly elections took place the following month, in April 2008.

their intention to hold Constituent Assembly elections. Immediately following this announcement an unexpected turn of events occurred: a small, heretofore unknown group calling itself the Madheshi People's Rights Forum (MPRF)¹⁹² launched a protest against the Interim Constitution. From January 16th to February 8th, 2007 MPRF activists took to the streets in opposition to an SPA-led peace process that they perceived as exclusive of Madheshi interests; the MPRF and Madheshi activists voiced concern over their exclusion from participation in the peace process and their place in the Interim Constitution¹⁹³. Constitutions provide credibility and, when building an institutional framework the process counts, especially where trust-building is concerned (Hale 2008). When regional leaders were left out of the process of drafting the Interim Constitution, their faith in such institution building was undermined. Upendra Yadav, leader of the MPRF, and nearly 30 other members burned the Interim Constitution in the streets of Kathmandu¹⁹⁴. In this way, the Madhesh Andolan was a landmark event in bringing about regional based ethno-nationalism "as one of the most prominent issues in the national discourse on restructuring the Nepali state" (Hachhethu 2007: 2).

¹⁹² The MPRF is the English translation of "Madheshi People's Rights Forum" and is used interchangeably with MJF which is the acronym for the Nepali name "Madheshi Janadhikar Forum", meaning "Madheshi People's Rights Forum". Interviews with local people also indicated that "Forum" was used pejoratively to describe Madheshis (author interview 2008-2009). It was also used as an assessment of a person, for example, before one local woman's child could be admitted to hospital she had to answer the question "are you Forum or Congress?" (author interview July 2009). MPRF, or MJF, grew from a registered NGO to a political party. It was supported by the Maoists and had ties to the CPN-M until at least 2004 (ICG 2007d; Rinck 2008).

¹⁹³ According to ICG: "The MJF identifies internal colonisation as well as regional and racial discrimination against the Madhes as its key concerns. Its demands include declaration of a federal democratic republic with an undivided, autonomous Madhes, secularism, a proportional electoral system, citizenship certificates for all Madhesis, inclusion of Madhesis in all state organs, special schemes for Dalits and other oppressed Madhesi castes, local promotion and use of Maithili, Bhojpuri and Awadhi languages, recognition of Hindi as a lingua franca, end to internal migration of *pahadis* to Madhes, investment in Madhes of a substantial portion of taxes raised in the region, an end of discrimination against Nepali Muslims and official recognition for madrasas.78 MJF has also tied Madhesi politics to larger national developments. It opposed the king's rule and Maoist violence and called for elections to the constituent assembly based on equitable population representation under UN supervision" (2007d: 9).

¹⁹⁴ These members were arrested and later released. Upendra Yadav went on to become the Foreign Minister under the Maoist-led government in 2008-2009.

The president of the district committee of the MPRF in Morang explained to me, “in the peace process there was no mention of Madhesi rights....during the [Maoist] 10 year revolution Maoists always raised ethnic issues but in the peace process they did not mention any of these things....the Madhesh Andolan¹⁹⁵ raised other Madhesi-based parties” (author interview February 2009). For example, after Jana Andolan II the transitional government offered benefits, such as reservation, to excluded groups, including women, dalits, and indigenous nationalities, however, Madheshis were excluded from such reservation policies (Hachhethu 2007). The MPRF therefore launched the strikes in an effort to bring the government’s attention to the region, gain greater autonomy, increase representation of Madheshis in government, and increase citizenship rights for Madheshis¹⁹⁶ (IDA et al 2011).

On January 19, 2007 a leader of the Maoist Party shot dead a 16 year-old boy, an MPRF supporter, in Lahan, in the eastern tarai district of Siraha. This incident sparked massive protests in the tarai districts, particularly in the central-eastern region. Protestors destroyed government buildings and property, party offices of the ruling SPA-M, called for an indefinite *bandh*, and continued rallies in the region. In response, the state security forces shot dead more than 30 people and wounded over 800 (ICG 2007d). According to the International Crisis Group,

The protests initially centered around Lahan and Janakpur but soon spread to all other major Tarai towns. The MJF organised some demonstrations but others were spontaneous or organised by local groups. These mobilised people, provided support to the injured and helped coordinate protests. Malangwa, Birgunj, Lahan and Biratnagar saw major clashes. In some cases, agitators turned their ire on journalists, blaming them for not covering the movement sufficiently” (2007d: 12).

¹⁹⁵ The protests are now widely recognized as the Madhesh Andolan. For a more on this see Kantha 2009.

¹⁹⁶ According to SAS (2011), “in 2007 only 15 percent of the 330 Nepali parliamentarians were Madhesi. Following the 2008 election Madhesi parties held 87 seats in total: MJF (54), Terai Madhes Loktrantik Party – TMLP (21), Nepal Sadbhavana Party (9), Nepal Sadbhavana Party-Ananda Devi (3). At the beginning of the strikes more than 40 percent of the Madhesi [did] not have citizenship or voting rights”.

Meanwhile, Maoist-Madheshi violence continued. Following incidents in Bhairahawa and Nepalganj in February 2007¹⁹⁷, Maoist and MPRF supporters clashed in a deadly meeting in the town of Gaur. Violence ensued¹⁹⁸ when both parties had announced public meetings at the same venue for the same day, leaving a reported 27 Maoist supporters dead¹⁹⁹ (Kantha 2009; OHCHR 2007).

Cycles of local violence continued between Maoist supporters, especially the YCL, and Madheshi political party supporters. However, such violence was not necessarily concerned with specific ideology or party politics. Madhesi armed groups pointed to the fact that most Maoist leaders are largely of pahadi origin and speak Nepali as their mother tongue. They perceived that Maoists represented pahadi interests and hypothesized that Maoists would continue to marginalize them in “new Nepal”. After the Constituent Assembly elections, where Maoists won well over one-third of contested seats, Madheshi activists interpreted Maoists as representatives of the new government and targeted them as such. Armed group leaders such as Jai Krishna Goit of JTMM actively campaigned against the Maoists arguing that their pro-Madheshi rhetoric was disingenuous (Hachhethu 2007). According to the Nepal Democracy Survey 2007, the majority of respondents belonging to Madheshi castes “distrusted” the Maoists and did not believe that the Maoists were committed to multiparty democracy (in Hachhethu 2007: 7). According to an

¹⁹⁷ On February 23, 2007 Maoists were reported to have intervened in an MPRF mass meeting in the town of Bhairahawa where they took supporters and their vehicles into custody (Kantha 2009). On February 25, 2007 in Nepalganj, Maoists again intervened in an MPRF mass meeting (Kantha 2009). Anti-Madheshi violence was caught on tape and the tape was widely distributed, flaring tensions further (ICG 2007d).

¹⁹⁸ Some human rights activists allege that five women were raped (ICG 2007d), however the “Findings of OHCHR-Nepal’s Investigations into the 21March killings in Gaur and Surrounding Villages”, maintains that there were no rapes.

¹⁹⁹ ICG’s 2007 report notes, “Several victims were summarily executed. There may have been a caste component to the clash, for Gaur has sizeable Rajput and Yadav populations. Angry with the Maoists for mobilising lower castes, they used this as an opportunity to assert local dominance” (2007d14).

IRIN report in 2008, protestors reportedly attacked “those who are or look like Nepali of hill origin...because the Government is dominated by pahadis” (in IDA et al 2011: 11).

Local level conflict and violence had evolved to be interpreted through the lens of “Madheshi-pahadi” tensions. While the Madhesh Andolan began as anti-government protests to gain more rights and reduce discrimination, they took on an anti-Pahadi tone and exacerbated previously existing tensions between communities (SAS 2011).

During interviews in 2008-2009, several people reported their firsthand accounts of violence during the 2007 movement. One local Madheshi man described his experience during the Madhesh Andolan:

When the Madesh Andolan started among the people there were professors, doctors, engineers [protesting in the streets]. Now when people came to *Bhanu Chowk*²⁰⁰ the police authorities seemed to be alert, there were only four or five people. But *goondas*²⁰¹, undesirables, attacked one shop. They destroyed everything. Millions of rupees were lost. The shop belonged to pahadis, no one provoked them. The house was set on fire. Everything was destroyed. Other groups also did that. They created a bad situation in the country, bad feelings between Nepali speaking people and Madheshis. This kind of involvement, these goings on, they are taking a very bad turn. Nobody is at peace (author interview March 2009).

Another individual, a pahadi man, described his experience during the Madhesh Aandolan: “they burned my car and broke out my windows. I was born here [in Dhanusha district] but my mother tongue is Nepali” (author interview September 2009). A third individual, a Madheshi man, shared his interpretation of events and their lasting impact on the people of the region:

²⁰⁰ A prominent intersection in Janakpur.

²⁰¹ Thugs

Fifty-two protesters were killed in the Madhesh Andolan. This happened during the democratic SPA government. It was a peaceful andolan....during Birendra's rule in 2006 BS²⁰² when democracy came only four people died. Even in [opposing] Gyanendra [during Jana Andolan II] 24 people died. The SPA government let 52 people die in a peaceful andolan. This shows how the government looks at Madhesh issues and Madheshis (author interview February 2009).

Such accounts demonstrate the violence that occurred during the Madhesh Andolan. Each account echoes a sense of confusion around the events. The last interviewee, in particular, articulates a sense of injustice felt in the use of force against Madheshis compared to the use of force during other protest movements, such as Jana Andolan I. For this interviewee, comparing the number of civilian deaths during the Madhesh Andolan and the two preceding Jana Andolans led him to a conclusion that the government cares little for the lives of Madheshis.

On August 30, 2007 the government and the MPRF concluded a round of negotiations by signing a 22-point agreement which included provisions for compensation to those killed during the Madhesh Andolan, guarantee of Madheshi inclusion in the Constituent Assembly, and autonomy to states in the future federal system (Kantha 2009: 168)²⁰³. The Madhesh Andolan, as Hachhethu (2007) points out, has to its credit "the achievement of federalism and redistribution and increment of electoral constituencies in favor of Tarai, both being important and substantial steps towards inclusive democracy" (2). But, Kathmandu's use of force during the Madhesh Andolan, combined with the use of violence by protestors, produced a critical change for many in the tarai. The section that follows describes the immediate impact of the Madhesh Andolan.

²⁰² Nepal's calendar is marked in Bikram Sambat, or BS. 2006 BS is the equivalent of the year 1950 in the Gregorian calendar.

²⁰³ See Appendix 3 for the full 22-point agreement.

Internal Displacement

After the Madhesh Andolan it is estimated that over 5,000 people fled the violence in the tarai (IRIN 2007), although numbers are not firm. One journalist estimated that “75% of the Nepali speaking population migrated” from Dhanusha (author interview September 2009). Though, pahadi families were not the only ones to flee the violence; Madheshi families migrated as well. In the summer of 2009 I spoke with a variety of people about migration after the Madhesh Andolan. People reported leaving their homes and settling in places like Mahottari, Chitwan, and Kathmandu.

In 2009 I traveled to Mahottari to meet with families that had left Dhanusha and surrounding districts just after the Madhesh Andolan. I interviewed one pahadi family who explained to me that they had lived in Janakpur for 25 years. When I asked why they had moved from Dhanusha the father explained, “because of the Madhesh Andolan. Everyone started moving so we also moved...during the movement we couldn’t leave our house for 13 or 14 days. We were living in Nepal but it did not feel like Nepal...the [anti-pahadi] slogan was so strong we couldn’t live there” (author interview July 2009). Another individual commented on the “slogans” they heard such as: “*pahadis* leave Madhesh, this is not your place, this is our place” (author interview July 2009). The main slogans chanted during the Madhesh Andolan were: “Pahadis out of Madhesh” and “down with hill administration” (Hachhethu 2007). As a result, many pahadi families living in tarai districts confined themselves to their homes. One man shared, “for a week no *pahadis* dared to come out to buy vegetables [in the market]. They only ate what they had inside their house. They were afraid to go to the market....people were afraid” (author interview July 2009).

Other individuals described situations of losing property or having to sell their homes quickly and at a very low price. One pahadi man shared with me his story of having to quickly sell his family's home:

We wanted to sell our property but we couldn't find a buyer. To sell our property we had to sell secretly. If people found out that we were planning to sell they would come to our house and ask for [demand] money. So we were in search of a buyer and we had to wait for some time. One neighbor wanted to sell his house and he sold [to a local person]. That same buyer phoned at night [and threatened me] saying 'you have to give me 10% of the price'...so we were secretly planning to sell our house, and it took some time. There were so many [pahadi] people that had to sell at a cheap rate because Madheshis would come everyday and ask them to leave. My friend, I would ask him when he was going to sell his house, and he would say 'no, I am not going to sell'. But the next day I saw him packing all his things on a bus and he went to another place. It is hard to describe that situation. So many pahadis were leaving their houses. They had to leave so many things behind because they wanted to go somewhere else as soon as possible (author interview July 2009).

Many people described moving quickly from their homes and traveling to other places like Kathmandu or Hetauda²⁰⁴ without informing their friends or neighbors. Group relocation to similar places was not a foregone conclusion, however. Families and friends scattered to different places in the country. One Madheshi woman in Mahottari expressed to me that "many [middle class] people went to Kathmandu, most rural people went to Hetauda. Some went without informing their neighbors" (author interview July 2009). Another pahadi individual estimated that "60% [of people they knew] shifted to Hetauda and maybe 10% to [Mahottari]...rich people went to Kathmandu but we had less and couldn't afford Kathmandu so it is cheaper to stay in this area [in Mahottari]" (author interview July 2009). Another pahadi man told me, "[now] we don't have much money [because] our house in Janakpur had to be sold cheaply. We couldn't afford to go to Kathmandu...if there is some [future] movement to drive us

²⁰⁴ Located in Makwanpur district along the Tribhuvan Highway.

from this place [Mahottari], this place would be easy for us to leave. From here we can reach the Churi hills. We have to look first for the easy way that we can reach to our hill places” (author interview July 2009).

This was a theme that was common among the interviews: anticipating further moves out of compulsion. Some individuals, however, were unable to relocate. According to the people with whom I spoke, some individuals that wanted to leave were unable to because they could not afford it (author interviews 2009). Others stayed to fulfill their duties before they moved despite the fear they felt. At the Ram Swarup Ram Sagar Multiple Campus in Janakpur, the administrative staff reported that of their teaching staff of 163, 21 applied for transfers out of Dhanusha (author interview July 2009). Of the nine instructors in the Nepali language department five had transferred and four were waiting for their transfer letter (author interview July 2009). Local government officials, too, moved out of their home areas. A July 2009 OCHA mission to the central-eastern and eastern tarai found that, over the last year (2008-2009), “40 percent of VDC secretaries²⁰⁵ moved to district headquarters due to physical threats by underground armed groups and criminal gangs in Jhapa, Morang, Sunsari, Saptari, Siraha, Dhanusa, Mahottari, Sarlahi, Bara, Parsa, and Rautahat districts²⁰⁶” (Pokhrel 2009). In this way, threats against pahadi administrators have had the effect of weakening state presence in central-

²⁰⁵ OCHA also monitors the presence of VDC secretaries in their districts. See: <http://www.un.org.np/node/10619>

²⁰⁶ It is worth noting that intimidation of VDC secretaries was also a tactic of the Maoists during their decade-long war. A January 2009 OCHA report provides a country-wide overview of the situation of VDC secretaries both during the war, and after the signing of the CPA: “Even with the Comprehensive Peace Agreement (CPA) of November 2006 and the positive progress in the peace process, only 45% of the VDC Secretaries are consistently present at their duty station, with another 40% present part of the time. That leaves about 15% of VDCs without any senior government representation. Particular challenges are faced in the Terai due to the proliferation of armed groups and their anti-government, anti-hill people rhetoric and criminal activities. VDC secretaries and other government officials face extortion and threats and several have been killed, since the signing of the CPA” (OCHA 2009: 11).

eastern tarai districts (Hachhethu 2007). One report by the Calcutta Research Group documents that

Around 6,000-8,000 individuals have been displaced due to communal violence on 16-21 September 2007 in Kapilbastu. Similarly, 150 people were displaced from the Sunsari district due to threats, violent attacks and theft by members of the Madheshi Mukti Tigers (an armed group). Media reports suggest that about 3,000 individuals were displaced under similar circumstances in the neighbouring Siraha districts in 2007. Saptari has been the hot bed of conflict and displacement, but there is no estimate on the total number of people displaced from the district ...There is not any reliable data regarding the displacement in Terai as the IDPs are not disclosing their status because of the fear of personal security or being stigmatized. People are moving as discretely as possible and wish to remain anonymous due to fear of abduction or killing for ransom by unidentified armed groups (2009: 108-109).

When I inquired at a local human rights organization about these new migration patterns I was told, “this doesn’t concern us as it is...not a human rights violation...There is a bad law and order situation in the country so people migrate” (author interview July 2009). For this human rights worker, *pahadi* migration was a result of the things happening *around* them rather than the things happening *to* them. One man expressed his frustration about the investigation of violence during the Madhesh Andolan. He told me, “one human rights activist...visited Janakpur...and said that there was no destruction of infrastructure. I was very unhappy when I heard that. I was there...shops were destroyed. But only a few rich people got compensation” (author interview July 2009). Acknowledging and naming violence in an environment as sensitive as ‘postconflict’ implies that the ‘postconflict peace’ label might not be an accurate one and, as such, is a difficult political position for national and international human rights workers.

Post-Madhesh Andolan Daily Violence

Newspapers reported homicides weekly, and often daily, during my fieldwork. However, while reports were usually brief and lacking in detail, the violence of “postconflict” became the stuff of

rumors and conversations. The fear and anger invited by such violence began to permeate many aspects of the mundane (Montoya 2010). Journalists and civilians alike reported a variety of violent experiences. Across the country, YCL²⁰⁷ cadre engaged in almost daily clashes with rival youth wings such as Youth Force²⁰⁸. Confrontations between party supporters ranged from verbal threats and physical beatings to knifings, gunshots and death (author review of articles 2008-2009).

Local civilians also spoke of high caliber weapons and bombs used in attacks. During my fieldwork several bombs exploded or were diffused in places at or near where I stayed. Bombs at banks were common in Janakpur but hardly ever reported (author interviews 2008-2009). One hotel owner was provided 24-hour security for three months because of repeated threats of bombing (author interview July 2009).

Without external patrons, non-state armed groups must rely on a variety of revenue streams and illicit networks (SAS 2013b). In some instances, government employees or well-known collaborators of international development projects were targeted for kidnapping or murder. Local government officials and VDC secretaries control local budgets which are viewed as a good source of funds for NSAGs (IDA et al 2011). Furthermore, extortion was often common amongst wealthier families and business owners because those individuals were perceived to have the most money to give (IDA et al 2011).

²⁰⁷ YCL, or the Young Communist League, is the youth wing of the Maoists.

²⁰⁸ Youth Force is the youth wing of the CPN-UML.



Photo 5: Protest in the streets of Janakpur

Source: Author

During the course of my interviews several individuals described predatory behavior and reported being subject to extortion or threats. Respondents described receiving phone calls or letters demanding a certain action be taken, most often that being a request for money. Several people indicated to me that they had changed their phone number as a result of the phone threats they received. One couple reported that they specifically did not answer the phone when an

unknown number was displayed (author interview March 2009). Other people discussed their knowledge of abductions²⁰⁹. One individual reported that armed groups receive between 10 and 20 lakh²¹⁰ rupees for each kidnapping (author interview September 2009). He estimated that armed groups in Saptari district collected between eight and 10 crore²¹¹ rupees (author interview September 2009). Another individual told me a story to me about an armed group that kidnapped a local doctor for ten days and held him captive in India until his family was able to pay the ransom (author interview September 2009).

When individuals or families opt not to pay extortionists those individuals may become the targets of assassination. One local shop owner told me, “wherever I go I feel insecure, sitting here I feel insecure. If we go somewhere by jeep we may vanish, by motorcycle we may vanish. There is no guarantee a person will come back. People [armed groups] come here for “donations”. If I don’t give it to them they will kidnap or kill me. A few days ago a businessman’s son was kidnapped and taken by an [armed group]. Until now he is disappeared” (author interview March 2009).

In some instances, business owners simply came to an arrangement with NSAGs. A hotel owner in Saptari explained to me: “there are two ways that they [armed groups] are asking for donations: (1) threats [for cash] and (2) in-kind donations where they ask to use your vehicle, or demand food and petrol. [In my case I also] provide meeting space and room facilities” (author

²⁰⁹ The Saptari SP commented, “one abduction gets you one pistol. How do you [think you] get money for 20 pistols?” (author interview September 2009). In 2009 it was reported that one pistol cost between 2,000 and 3,000 Nepalese rupees (approximately £15 to £20).

²¹⁰ One lakh is equivalent to one hundred thousand units. In this example, 20 lakh rupees is equal to about £14,000.

²¹¹ One crore is equal to 100 lakhs. In this example, 10 crore is just over to £1 million.

interview September 2009). For others, negotiations with armed groups are just another cost of doing business. Another hotel owner further discussed with me his experience with the armed groups: “I faced extortion. But I am a service-oriented business so they think my business can provide them a place to have fun, bring their family and friends²¹². Instead of giving money, now I give them food. We had a discussion on this matter [and this is the solution we reached]” (author interview September 2009).

Other people discussed refraining from activities that might attract the attention of armed groups. A villager in Dhanusha explained to me, “if we have money we can’t build a proper house. People will say ‘they have money’ and they will come to our house and do robbery or rape. Though we have a small house that leaks it is better to live here than to be raped” (author interview March 2009). Another woman explained, “If a husband moves to a foreign land they demand money and if [the wife] doesn’t give the money they will torture her, maybe rape her. Women don’t file cases about underground groups torturing them” (author interview July 2009).

As a result of threats, extortion, and abduction many individuals in Nepal’s central-eastern tarai have changed their habits and lifestyles. One business owner in Saptari district told me, “I can’t move around after 10pm. Before we had that security” (author interview September 2009). A local woman also commented on her restricted movement, “It’s not safe to walk in the evenings. I come home by 5:30 or 6. Though I am [a] local it’s still hard to walk” (author interview March 2009). Another woman explained how her personal interactions have changed since armed groups began appearing in the central-eastern tarai:

²¹² Hotels often have attached restaurants where, those who can afford it, bring their family for meals.

...during this period we have to remain quiet even if somebody scolds you or shouts at you. We cannot argue with them. We have to become alert while walking alone in the road or working in our office. When we go to the bazaar we cannot stay there for a long period, we have to return back before dark. When we have to send our children to school we have to take them to the bus stand and also bring them back from the school” (author interview July 2009).

Several mothers spoke of changing their daily habits, fearing that their children might be kidnapped. One woman explained to me that she had someone walk her children back and forth to school every day because she feared they might be abducted (author interview March 2009). Another woman shared, “women are afraid because we send our children to school. But they might be kidnapped and our family might be hurt. We feel insecure” (author interview March 2009). Another mother shared: “we can’t pressure our children to stay inside, they need education. But if we send our children outside to school or to a shop we have fear. [We worry,] when will they return? The children themselves have the feeling that they might be kidnapped. They can’t study properly. It is mental torture” (author interview March 2009).

Often threats, abductions, and physical violence go unreported. One local man explained, “for ten years we haven’t felt secure. The Maoists are in government [and] still there is no security. One boy was beaten by an armed group and local people could do nothing. Police didn’t do anything. If we speak something [speak out] we feel insecure. There is nothing to do but look [watch]” (author interview March 2009). Other villagers in Dhanusha explained, “Rajan Mukti Morcha [JTMM-Rajan]²¹³ is exploiting people here. They are killing and raping women, showing threats and [creating] fear” (author interview March 2009). Until that point in my fieldwork I had not heard anyone speak of rape occurring. One villager explained, “during the

²¹³ A central-eastern tarai based NSAG.

Maoist war there were so many [rapes]²¹⁴ but now there are maybe only 10 or 15 [reported]. Compared to that time there are less [rapes]” (author interview March 2009). Cultural practice in high-caste tarai communities dictates strong protection of *izzat*, or women’s honor; women might also feel that, by reporting rape, they might lose respect in their own community. Comparatively, women have a weaker social position than men which may lead to underreporting of rape and sexual assault.



Photo 6: Women talking in Janakpur

Source: Author

²¹⁴ Rapes that occurred during the “People’s War” were committed by both Maoists and the state.

Not all interview respondents personally experienced violence. However, many individuals commented that they feared becoming a victim of violence in the future. I spoke with one woman who eloquently described the ways in which violence in the central-eastern tarai impacted local people's lives. She shared the following:

The people in tarai cannot really talk about the condition of the tarai, the problems we are facing in the tarai. Now we are inside the room, talking about the tarai, and the armed groups. But even we cannot raise the same kinds of question if we are in the middle of the *chowk*²¹⁵. The people are really afraid to talk about these issues publicly. We are afraid that maybe someone from some direction comes and will shoot at us. The condition of people in tarai is not good. Everyone loves their life. They do not want somebody to come and kill them or their family members. The people here need some kind of support. But neither the state nor the state's mechanism or political leaders are providing us support. There is no safety for the people. This is a period where we are living in a republican country but the situation is worse than the period of monarchy. When we go to the village we hear people saying "the period of the king was better than this". Why? Because people are insecure. They are living under insecure conditions. So it is natural to hear such kind of remarks. It was only a few days before, one innocent man was killed by the police. The police say it was an encounter, but everyone knows that it was not an encounter. But the policeman killed him when he had some debate with the police. Now there is no value of life. If we have a small fight, some argument between people then who knows, he may be killed by one of the armed men. People are not in the state of questioning about what is happening. People have become dumb and deaf. When a person passed the day and in the evening when he lies on his bed he thinks, "today I am saved. But what may happen tomorrow, who knows. One cannot answer". If the children go to school, whether they come home safely or not, there is no guarantee for that. Maybe they might be kidnapped. People are living in fear these days. And we don't think that peace will come within one or two years. No one is serious on this matter—not the political leaders, local leaders, local administration, police force, no one is serious on this matter. How are people coping with these feelings in this period? The people participated in the [Jana Andolan] movement because they felt that we might get some kinds of freedom to speak, our rights, with the elimination of monarchy. But after the movement the situation has become so much worse. They have not actually understood what democracy is. People felt that democracy means freedom—freedom to do whatever they want. Maybe to get their demands by killing people. If there is a fight between husband and wife they call for *bandh*. If school demands are not fulfilled there might be *bandhs*. The real meaning of democracy is being used in the wrong way. People have started feeling that monarchy was better than this democracy. At least during monarchy people were afraid of the rule, they had no right to raise their voices. Actually the people are not saying that they want monarchy to come but when we have to compare the situation then and the situation now then automatically we will have to say monarchy was a better period (author interview July 2009).

²¹⁵ A *chowk* is an intersection or roundabout in the street.

For this woman, what a situation of violent conflict has produced is a restriction on the ways people can express themselves. For her, violence in the central-eastern tarai, rather than opening up a space for marginalized voices to be heard, has instead choked off ordinary people's possibility for speaking out.

Not War, Not Peace

As the voices above have demonstrated, this period has produced complex challenges. Throughout the course of my fieldwork I listened to people struggle to fit their experiences into the mutually exclusive categories of “war” and “peace”, “conflict” and “postconflict”. The sections above have challenged the idea of “postconflict peace” in Nepal. Anthropologist Carolyn Nordstrom calls this a time of “not war, not peace” (2004). In her study on postwar violence in El Salvador, Ainhua Montoya argues that “narrow imageries of both war and peace have turned post-war violence...into a largely depoliticized phenomenon, a pathology no longer rooted in political motives” (2010: 19). As Montoya points out,

the rigid categories of ‘war’ and ‘peace’, and their corresponding ‘political violence’ and ‘social violence’, belie the country’s war and post-war violence. Whilst ‘political violence’ is employed to designate violence against the state or illegitimate violence by the state, ‘social violence’ describes interpersonal violence during peacetime...the rigid categories of ‘political violence’ and ‘social violence’ contribute to the obscuring and neglecting of specific kinds of violence that conform to neither ‘war’ nor ‘peace’ stereotypes” (2010: 19).

High levels of violence have been downplayed in favor of narratives of a “peaceful transition”. Such an approach depoliticizes ‘social violence’ (Montoya 2010). The teleological and unilateral character of transition, a term used broadly in public discourse in Nepal, entails a direction and progression that defies the persistence of violence in the central-eastern tarai (Montoya 2010).

Rather, it is through a blurring of the boundaries of “violence” and “peace” and an examination of the complexity of everyday reality that produces a more nuanced understanding of “postconflict”. In an interview one afternoon in March a man shared with me the following:

It's what has been lost in this political situation...there is music going on everywhere. There is a rhythm to the sunrise and the sunset. There is a rhythm inside you and the pulse is in rhythm. If there is a 'lab dab, lab dab' there is something going on. If there is a [makes a flatline sounds] you have become ill. In politics the rhythm has gone. There was music in the community...but the music is gone, in every sphere of life. I am a 60 year-old man seeking the lost music (author interview March 2009).

Conclusion

This chapter has presented local-level perspectives of continued violence in Nepal's central-eastern tarai region and, in so doing, challenged the notion of “postconflict peace” in the country. The chapter presented data on security incidents during the post-CPA years 2007-2009, specifically abductions, killings, and IED explosions.

Furthermore, this chapter presented detailed information about the Madhesh Andolan, including narratives from local residents about their experiences during that movement. Additionally, the chapter discussed both immediate and long-term impacts of the violence surrounding the Madhesh Andolan including internal migration and specific changes to residents' everyday habits and outlooks. Narratives included both pahadi and Madheshi residents who were impacted by the violence during and after the Madhesh Andolan.

Individuals discussed their concerns, especially those related to security, in the post-CPA period. Residents explained their experiences of negotiating with armed groups, for example, as businessmen. Others who had not personally experienced direct violence explained the feeling of

looming uncertainty and the possibility of becoming a victim of violence in the future. Mothers discussed the concerns they felt sending children to school, fearing that they would be targeted for kidnapping.

Taken as a whole, this chapter presents an argument for interrogating the “post” in the concept of the ‘postconflict’ landscape. It presents new qualitative data on how residents of the central-eastern tarai experience violence in post-CPA Nepal and examines the ways in which social relationships are being reconfigured in the postconflict period.

CHAPTER EIGHT

Non-State Armed Groups in Nepal's Central-Eastern Tarai

Non-state armed groups in Nepal occupy a unique space with their own history, activities and perspectives. This research works to specifically illuminate the ways in which non-state armed actors in Nepal's central-eastern tarai became involved in violent conflict between 2007 and 2009. Currently, very little is known about non-state armed groups in Nepal's central-eastern tarai and no academic work, to date, has focused on their recruitment, participation, or activities. This chapter explains the emergence of NSAGs in the region and presents ethnographic data gathered during fieldwork in 2008-2009 regarding recruitment, training, and participation. It further seeks to understand how national discourses find meaning and resonance at the local level (Maycock 2011) where activists are attempting to mobilize the local community to further specific agendas. This chapter engages directly with local NSAG leaders and members to explore perceptions of violence in the central-eastern tarai. As such, this chapter works to answer the specific questions outlined in chapter one: *how is the local level violence that persisted after the signing of the Comprehensive Peace Agreement understood by conflict actors in the central-eastern tarai?* Furthermore, how do NSAG members experience that violence?

Defining Non-State Armed Groups

This thesis does not assume that all non-state armed actors are unitary actors. In fact, the category of non-state actor itself is very broad; “despite similarities between many armed groups, a solid understanding of any one of them requires an in-depth analysis of the specific environment, and political and socio-economic circumstances in which a given violent actor emerges, grows, adapts, falls, or otherwise transforms itself” (Sager 2010 in Mulaj 2010: viii).

First, what are we referring to when we discuss non-state armed actors? Mulaj (2010) explains that

Violent non-state actors are non-state armed groups that resort to organized violence as a tool to achieve their goals. ‘Non-state’ is understood here at least in nominal terms. This implies that the ‘state’/‘non-state’ divide is not necessarily clear cut, given that VNSAs not only operate in opposition to, or cooptation by, a state or states, but often also exist in a dependent relation to the state/s in terms of support, benefits, and recognition” (3).

The following table offers a typology of non-state organizations that use violence as a means to advance their goals:

Table 8: Typology of Non-State Armed Groups

Type	Aims	Examples
National Liberation Movements	Secession from a state in order to form a new state or join an adjacent “mother” country	ETA, IRA, KLA, SPLA
Insurgent Guerilla Bands	Weaken or destroy the power and legitimacy of a ruling government	PLO, Hezbollah, Hamas, UNITA
Terrorist Groups	Spread fear through the threat of force for political purposes	Al Qaeda
Militants	Made up of irregular but recognizable armed forces operating within an ungoverned area or a weak, fragmented, or failing state	Various armed groups in Somalia
Mercenary Militias	Offer professional services linked to warfare	Private military firms

Source: Modified from Mulaj 2010

In the central-eastern tarai, non-state armed groups occupy an ambiguous space. Posing neither a direct threat to the state (such as the Maoists did or as other types of groups listed in figure ten),

nor support of it (such as paramilitary groups and state-sponsored militias), NSAGs in the central-eastern tarai operate within the confines of the state to advance a shared agenda: principally for an autonomous state within a federal Nepal. The vision for an autonomous state within the existing boundaries of the Nepali nation, and amongst a variety of other ethnically oriented states, advances a challenge to the state but does not seek to either directly overthrow it nor secede from it²¹⁶. In working to further these aims, NSAGs in the central-eastern tarai often operate in collusion with national level politicians and local level security personnel. This has resulted in a strong link between national-level politics, politicization of ethnic (Madheshi) identity, non-state armed groups, and continued local-level violence.

Rather than viewing non-state actors as operating outside of the state, then, it is more useful to understand the relationship between non-state actors and the evolution of the state. As Hagmann and Peclard (2010) point out, the state is a product of complex processes of negotiations that occur at the interface between the public and the private, the informal and the formal, the illegal and the legal (Brown 2012: 64). What is needed is an examination of the conditions which nurture non-state armed groups and the ways in which the state impacts on the emergence of NSAGs (Mulaj 2010).

Armed Groups in Nepal's Central-Eastern Tarai

Violence has long been a feature of Nepalese socio-political history. However, “violence became a more widespread feature of political culture and discourse during the era of democracy, especially during and after the Maoist “People’s War” (Hangen 2010: 167). In the intervening

²¹⁶ The exception, in the central-eastern tarai, is JTMM-Goit whose leader, Jai Krishna Goit, does seek secession. This is discussed below.

years between the signing of the Comprehensive Peace Agreement in November 2006 and present day (2012), every major—and even some minor—national political parties have formed their own armed youth wings; most prominent among them are the Young Communist League (CPN-M) and Youth Force (CPN-UML)²¹⁷. Since the end of the Maoist war, armed groups have been flourishing²¹⁸. Since the signing of the Comprehensive Peace Agreement, the number of armed groups in Nepal has fluctuated, from a handful in early 2007 to over one hundred in late summer 2009 with the majority of those groups operating in the tarai (Government of Nepal 2009).

Widely considered to be the driving force behind armed groups in the region, the Madhesi Rastriya Mukti Morcha (MRMM) was a Maoist faction that operated out of the tarai region (SAS 2013b). In 2004, the Maoist leadership replaced Jai Krishna Goit with a new leader of the MRMM. As a result, Goit broke with the Maoists citing pahadi domination of party leadership and discrimination against Madheshis in the PLA (ICG 2007d). Goit then created his own group, the Janatantrik Tarai Mukti Morcha (JTMM). The JTMM has a “central committee, East and West Tarai Regional Bureaus, village, ward and cell committees, and a parallel military organization” (ICG 2007d: 10). Goit “identifies the Tarai issue as one of colonialism and has demanded independence. He refuses to call himself a Nepali citizen and believes that Nepal has no legal claim to Tarai. Goit has also demanded that all administrative posts in Tarai be filled by Madhesis and the government return the tax revenues raised from the region back to the people” (ICG 2007d: 10).

²¹⁷ A discussion of these groups is outside the purview of this thesis.

²¹⁸ Indeed, Nepal has seen a variety, though not a consistent show of force, of armed groups in its history. In particular are the examples of the Nepali Congress’ violent overthrow of the Rana regime and the Jhapali movement of the early 1970s.

The JTMM has since split into two other factions. In 2006, Goit expelled the group's eastern commander, Nagendra Paswan (alias Jwala Singh). Singh established his own group (JTMM-Jwala Singh)²¹⁹. The Jwala Singh faction "claims to have an organization modelled on the Maoists, with a central committee, central and district level Tarai governments, a Tarai Liberation Army and district committees across the region" (ICG 2007d: 10). According to the International Crisis Group:

Jwala Singh also questions Nepal's historical claim to the Tarai. He identifies three main issues: the authoritarian *pahadi* state and its colonial exploitation of Madhes and Madhesis, class differences and caste differences. He believes the Madhesi movement has failed until now because its leaders have not picked up guns, saying: "First, the colonial problem needs to be solved through an armed struggle – our main aim is independence. Once we are free from *pahadi* rule, we can solve the other problems" (2007d: 10).

But JTMM (Goit) split again in 2007, and formed another distinct group led by Bisfot Singh. Jai Krishna Goit and Jwala Singh are largely viewed as the most "legitimate" of the armed groups in the central-eastern tarai, both from the perspective of the state and from local civilians²²⁰ (author interviews 2008-2009).

The establishment and growth of NSAGs in the central-eastern tarai represents a new chapter in the region's history and is specific to the 'postconflict' environment in Nepal. Characteristic of non-state armed groups in the central-eastern tarai region is the fluidity of membership and their frequent splintering (and sometimes reforming) into new groups. Membership numbers in non-state armed groups is difficult to know; some leaders profess that they have hundreds of members (author interviews 2008-2009) while other sources claim that membership is more

²¹⁹ Goit's group is known as JTMM (Goit).

²²⁰ The United States was quick to label both factions "terrorists". See Miklian 2008; ICG 2007d.

modest at five to twenty members per group (SAS 2013b). As Maycock (2011) points out in his study of the Tharuhat Army, the actual number of members isn't of critical importance; more important for activists is understanding that Madheshi-based NSAGs are possible and are able to mobilize if necessary. Finally, groups in the tarai appear to have fixed territorial areas of operation and focus their activities in the central-eastern districts of Parsa, Bara, Rautahat, Sarlahi, Mahottari, Dhanusha, Siraha, and Saptari (SAS 2013b).

Non-state armed groups are often viewed as a continuation of the Maoist struggle, however, "Despite superficial if deliberate similarities, the new [armed] groups pursue different aims with different methods and capacities" (2010a: 16). The International Crisis Group describes new non-state armed groups in the central-eastern tarai:

There is violence, and there is logic to most of it, but it is not the same as the Maoists'. None of the new groups, apart from Matrika Yadav-led CPN(M), has transformative aims even remotely as comprehensive as those of the Maoists. There is no evidence to suggest any of them plans to take on the state in the way the Maoists did in 1995-1996 or would be able to. Some groups have conducted public rallies with uniformed and armed cadres, but with no more than a handful of firearms on display. The Maoists may famously have started their "people's war" with only one functioning rifle, but they had also spent years building organizational strength and a popular base in Rolpa and Rukum²²¹. They see the violence of new groups as fundamentally different from their own and illegitimate for not targeting the state (2010a: 16).

The sections below present an ethnography of central-eastern tarai based NSAGs.

²²¹ de Sales (2007) argues that the Maoists were able to gain support amongst the Kham Magar in the districts of Rolpa and Rukum, for example, because they had been working in that area since the first democratic movement in 1951.

Emotion, Activism, and Identity: The State of the State

To date, no studies on violence in the central-eastern tarai include in-depth interviews with NSAG leaders or members. Beyond an exploration of the tactics and strategies employed by non-state armed groups, what are actors' perceptions of those activities?

Historical animosities and perceptions and experiences of long-term exclusion, marginalization, and oppression play a role in the emergence of non-state armed groups (Mulaj 2010). In the 2007 book, *Who Sings the Nation State*, Judith Butler and Gayatri Spivak write provocatively about the role of emotion²²² in belonging to the state. Reflecting on the "state of the state", they write:

We are, of course, caught by the words...what state are we in when we ask these questions...and which states do we mean? States are certain loci of power, but the state is not all that there is of power...the state we are in when we ask this question may or may not have to do with the state we are in. So: how do we understand those sets of conditions and dispositions that account for the "state we are in" (which could, after all, be a state of mind)...if we pause for a moment on the meaning of "states" as the "conditions in which we find ourselves", then it seems we reference the moment of writing itself or perhaps even a certain condition of being upset, out of sorts: what kind of state are we in when we start to think about the state?...the state can put us, some of us, in quite a state. It can signify the source of non-belonging as a quasi-permanent state (Butler and Spivak 2007: 1-4).

Very often in my conversations with NSAG members and local civilians in Nepal's central-eastern tarai I found that the state had put them in quite a "state". The theme of non-belonging was one that resonated across a variety of demographics, particularly amongst members of non-state armed groups. Narratives of perceived marginalization and exclusion were often provided when NSAG members were asked about their reasons for participation in violence. For example, one NSAG member told me, "We are Madheshis, we are treated like animals...we could not get

²²² The emotion of ethnicity can be stirred up by activists; it is not necessarily inherent to ethnic groups.

our rights so we have to raise our weapons. It is not our interest but our compulsion. *Kranti* brings *shanti*²²³” (author interview August 2009). Another individual reflected, “this is a conflict for self-respect” (author interview March 2009). In the process of constructing an explanation, referencing past injustices and offering a way forward became important to their narratives. From the perspective of these two activists, violent conflict has become the method for bringing about, in their opinion, a more just and equitable society, and one that includes an autonomous “Madhesh”. Chapter five examined the concept of belonging and the role of stereotypes and alterocentrism in constructing identities; what makes that pertinent at the micropolitical level is the use of these constructed images to recruit members and sustain support for the “activism” present in the tarai today. In a focus group discussion with a group of young men involved in a local armed group they discussed the following with one another:

#3: The government says that it has given equality to all the people in this country. But actually there is not any kind of equality between the pahadi and the Madheshi. Still the Nepali government has dual policies for our community.

#5: No, the government does not have the same kind of perspective. The government has always called us Indians. I was born here. We live on the other side of the Indian border. Nepal is my country. My father was born here. I have certificates, identity cards, but Nepali rulers treat me as if I am Indian.

#1: If the government has not ignored us from the beginning then this kind of huge risky situation would not be occurring. We also want to live in peace, we are humans. We should be treated as humans. But the pahadi rulers ignore our feelings. And as a result, our community, the poor villagers, the youth, us, we are suffering so badly.

#2: Now we have been hearing some people saying “the border side people’s condition is much better than before”. But actually it is not. You are here, can you see the difference? Our slogan [“ek Madhesh, ek Pradesh”] is very meaningful. But Nepali government, the pahadi rulers, are not serious. We can see that. We can feel that. This situation, this kind of division is very painful (author interview April 2009).

²²³ Literally, “revolution brings peace”.

All of the non-state armed groups that I interviewed in 2008-2009 reported that they were working for the Madheshi people and referred to themselves as “activists” (author interview 2008-2009). Madheshi “activists” with whom I spoke claimed to advocate for several things including recognition, political representation, and access to economic opportunities. Armed groups in the tarai justify their violence by viewing themselves as the backbone of a broader Madheshi rights movement; they paint themselves as a type of “security” for Madheshi voices and work to defend the interests of the Madheshi community.

Furthermore, “soldiers’ willingness to fight has typically been stoked up by inculcating them with the belief that their cause is just” (Keen 2008: 199). Reflecting this sentiment, one member of one local armed group told me the following:

We are not to blame for violence. The rulers, the pahadi community has to be blamed for our situation. We are strong, intelligent youth, educated persons. But the pahadi rulers do not provide us jobs or opportunities. So we have to control these rulers by raising weapons. The police forces are always creating violence in our village. They are killing the innocent people. Our kind of movement is a peace movement because we have a clear idea of “ek Madhesh, ek Pradesh”. And if our demand is not fulfilled we will keep on fighting for this (author interview August 2009).

Other members described the physical security situation in their area. During the summer of 2009 I interviewed a group of boys who were supporters of one of the well-known armed groups in the area. I wanted to know how these boys, who were in the process of joining an armed group, thought about violence. The discussion followed the focus group discussion format outlined in chapter two I provided a few key concepts for the boys to explore and they discussed the following:

K: How do you define security and what does security mean to you?

#1: Security? There is no security. We don't have any security in Madhesh. The government is saying that it is providing security to the Madheshi people, the Madheshi activists, but in reality this is not happening. Police do not give security to us. We have to protect ourselves. We have to hide from them (author interview August 2009).

For these boys, security is interpreted as a social provision, one that they feel they are not afforded. David Keen writes that one “local and immediate function of violence may lie in enhancing your [own] security...from an individual’s point of view, [conflict] that consists primarily of violence directed at civilians may mean that it is safer to be inside an armed band than outside one” (Keen 2008: 20). At the time of this focus group discussion, the new Special Security Plan had been put in place and extrajudicial killings were spiking in the region. This factor, in combination with activities of a variety of NSAGs (i.e. kidnapping, looting, threatening, killing) may have “pushed” individuals or groups of individuals into joining an armed group for reasons such as protection or revenge.

In a focus group discussion in August 2009 I talked with young men about their participation in one of the local NSAGs. One of the members expressed the following:

To raise the weapons is not our interest. It is our compulsion. The Madheshi community is asking for Madheshi rights. We cannot get our rights without weapons. We don't think that we are creating violence. We have our slogan of “ek Madhesh, ek Pradesh” so to get our single Madhesh we are fighting with the Nepali government (author interview August 2009).

Another young man shared:

If someone tries to take away the other people’s rights, their human rights...and when there is corruption, exploitation then these kinds of negative activities by the state,

leaders, police can bring violence in our country. If the police forces, the rulers, the leaders do injustice and violate our human rights, if it does not provide our basic needs and rights then the common people have to raise their voice to alert the leaders and bring peace and equal distribution of wealth in society (author interview March 2009).

As Ferguson, Burgess, and Hollywood (2008) describe in their studies of continued violence in Northern Ireland, those individuals who joined paramilitary groups did so, in many cases, because they *identified* with the victims of violence; in this case, NSAG members in the central-eastern tarai describe being victims of violence on the part of the state: suffering from marginalization, discrimination, and injustice. Not always victims of direct violence themselves, some paramilitary members perceived assaults on a fellow community member as “an injustice to them and the wider community” (Ferguson, Burgess, and Hollywood 2008: 135). Similarly, in the central-eastern tarai, individuals expressed sentiments relating to the well-being of their communities.

Acknowledging that conflict is more complex than simple classifications of it as “chaos” or “greed”, authors such as David Keen (2008) and Wood (2003) underscore the role of humiliation and marginalization in the production of violence. Many NSAG members with whom I spoke discussed extensively their anger at the neglect of the region and its people, particularly in terms of “development” (i.e. education, employment, infrastructure) and the ways in which that made them feel (i.e. “backward”, “useless”). The intersection of violent conflict and perceived *uneven* development (and underdevelopment) is documented in other places, such as Rwanda (Uvin 1998) and helps to explain, in part, the humiliations and injustices felt by segments of the population excluded from development projects that may have pushed them towards participation in violent activities, such as joining an armed group.

Several young men described to me that they were involved with an “activist” group because they wanted to see their community “develop” (author interviews 2008-2009). One young man told me:

Yes, it's true, we have no jobs. Even after passing SLC [School Leaving Certificate] we don't get any good jobs. Many youths are joining armed groups. There are reasons for this. When we turn the pages of history, we find 240 years of domination of Madheshis by pahadi rulers. Since the beginning pahadi rulers have dominated the Madheshi people. Yes, they say that Madheshi people are not Nepali. We heard they call us as Bihari. 80% of revenue is collected from our land. This money [goes to] Kathmandu, it reaches the pahadi people. Development works are all done to the pahadi side. They build airports, hospitals, highways, provide all kinds of services. And the government is also so one-sided that it is only giving priority to the pahadi region. Tribhuvan University is in pahad. Rulers do not want another Tribhuvan University in tarai (author interview August 2009).

It is interesting to note the young man's perspective, which is commonly shared that, compared to Kathmandu and the “*pahadi*” region, the central-eastern tarai is “less developed”. What is interesting in this construction is the work of imagination and the informational disconnect between local people; perceptions of economic development have played a role in rhetoric and activism. NSAG members in Dhanusha, for example, often made comparisons between development in the tarai region and development in Kathmandu, seeing themselves as comparatively less developed²²⁴. However, far less often did NSAG members/residents in Dhanusha compare themselves to residents of other districts, for example Humla or Okhaldhunga . Had they done so, they might have recognized that in such a comparison the people of Dhanusha district are comparatively more prosperous than those in Humla district in

²²⁴ Economic development here is meant to refer to levels of education, infrastructure such as roads and communication technologies, access to employment, and per capita income (Bates in Hale 2008: 86; author interviews 2008-2009).

terms of economy and infrastructure. This narrow, dichotomized perception²²⁵ between the economic development of Kathmandu versus the economic development of the tarai has helped to fuel the rhetoric used by activists in the central-eastern tarai. Individuals with whom I spoke consistently discussed the differences they perceived in service provision, infrastructure, and aid programs provided both by the government as well as by international actors (author interviews 2008-2009).

The following focus group discussion with young men who were in the process of joining an armed group highlights not only the ideas of development and jobs, but it also underscores a more nuanced social perspective:

#1: Why are there so many of the youth like us joining the armed groups? Again there is a reason for that. Some join as per his wish, some are compelled to join. The government of Nepal should think of the youth. The government should stop the youth from going abroad and working as laborers.

#2: If the government had thought about the youth or planned for youth then why would we have to go to India to earn money? We would have earned [money] here.

#1: Yes, it's different. In the foreign places we earn 20,000 rupees when we earn only 5-10,000 rupees here. Why is there a need to go to other countries? We will stay here...

#3: The main reason to go to foreign countries is employment. If the government provides us employment here in Nepal then why do we have to go outside? When we earn 8-10,000 rupees in our country—why do we have to spend 1 to 2 lakhs of money to go to the foreign countries? If we get jobs there or not, there is no guarantee. If we have good objectives to join the armed groups then that will be useful for my community. But so many people have joined this army for money because they are greedy, greedy for money. But we have to follow the culture, religion, *dharmanibhaunu parcha* [we have to fulfill our duties]. We have to have love for our country then one day certainly our Madhesh will be developed (author interview August 2009).

²²⁵ Such perception derives not only from personal experience (i.e. traveling between districts), but also from the oral accounts of friends or family members who have traveled there, as well as media depictions (Hale 2008).

This exchange demonstrates the complex relationship the boys have with the economic opportunities available to them, the duties that are expected of them, and the desire to develop their community. For some individuals, the idea of “uplifting their community” provides a strong sense of purpose and they find an outlet in the “activist groups” in the area.

While some posit that it is the poor young male who participates in non-state armed groups in order to gain material rewards, a closer look at the complexity of decision-making reveals a more nuanced logic at work. Young men with whom I spoke discussed the act of leaving home in search of employment opportunities abroad in places like India, Saudi Arabia, and Qatar (author interviews 2008-2009). These young men, rather than join an armed group to gain material benefits, sought employment outside of their home communities. Some reflected on the hardship of leaving home to find jobs abroad when they preferred to stay and do work for their community. One young man explained to me the situation of migrating for employment. He told me, “we get an education but there are no jobs. We have to fight for our rights, for opportunities. Men go abroad for work. If there are four [people] in a house, three will go abroad” (author interview March 2009). I discussed with a member of one of the armed groups in the central-eastern tarai the gendered ideas of supporting a family and a community as a man. I asked him his thoughts on migrating abroad in order to send money home to help his community. He responded with the following:

The person who goes abroad is only doing [so] for his personal benefit. The farmer works only for his family, to fulfill his individual wants and needs. But you know, we are raising the weapons...It is not for only me, my family, myself. It is not our individual wish. We are doing this for the Madheshi community, for the welfare of the Madheshi people. Do I have to tell you whose work is better? (author interview August 2009).

Complex decision-making in matters of earning money, as described above, demonstrate that the straightforward notion of “greed” is not entirely applicable when considering participation in non-state armed groups. Deciding whether or not to join an armed group, while it does involve some degree of economic motivation, is also wrapped up in notions of community, family duty, and social responsibility.

Furthermore, during my fieldwork period I had often heard of groups “educating” young men about the need to stay in their communities rather than travel abroad for work. It was therefore not uncommon for me to hear that members of armed groups were working for the “upliftment of Madhesh” (author interviews 2008-2009). NSAG members spoke often of the pride they felt in supporting their community. In an interview with a member of an armed group I was told the following:

We are capable people. We are educated. We are involved in [an armed group] because it has a clear vision about Madhesh. I joined this party because I like the decision of “ek Madhesh, ek Pradesh”. Our issue is clear. We like our party because our leaders are capable to take our issues to the top level. We are participating and supporting our party from our side. We are party activists. I am proud to be a member of [this armed group] (author interview August 2009).

Joining armed groups may be a socially meaningful activity in addition to being economically rewarding (Keen 2008). As discussed in chapter one, Elizabeth Jean Wood argues that within non-state armed groups there exists a “pleasure in agency”: the “positive affect associated with self-determination, autonomy, self-esteem, efficacy, and pride that comes from the successful assertion of intention” (2003:235). Jasper (1998) argues that emotions are also generated within a movement; emotions such as friendship, love, solidarity, loyalty, and a sense of purpose are shared and contribute to a movement’s culture (Jasper 1998). Jasper (1997) observes: “virtually

all the pleasures that humans derive from social life are found in protest movements: a sense of community and identity; ongoing companionship and bonds with others; the variety and challenge of conversation, cooperations and competition. Some of the pleasures are not available in the routines of life” (220). Moreover, activism for many people is a way to construct a desirable self (Polletta and Jasper 2001: 290). As Jasper (1998) argues, “Defining oneself through the help of a collective label entails an affective as well as a cognitive mapping of the social world. Partly because of this affection, participation in social movements can be pleasurable in itself, independently of the ultimate goals and outcomes. Protest becomes a way of saying something about oneself and one’s morals, and of finding joy and pride in them” (Jasper 1998: 415). Young men²²⁶ that participated in non-state armed groups in the central-eastern tarai found a certain pride, among other experiences to be sure, in being part of a movement that they viewed as “developing” their community. One young man told me, “if we work for paramilitary groups we can see change and get results” (author interview March 2009). For some members, generating a sense of respect for the ideals that they upheld was an important part of their participation.

NSAG Training in Nepal’s Central-Eastern Tarai

Recruitment and training of NSAG members in the central-eastern tarai differs across groups. While non-state armed groups within this region are heterogeneous in terms of composition, goals, and activities, it is difficult and, furthermore, not the intention of this project, to parse out which groups are purely “political” and which are purely “criminal”, as I have argued earlier that

²²⁶ This does not intentionally exclude women; however, I was never able to meet any women participants in NSAGs based in the central-eastern tarai.

the two are not mutually exclusive²²⁷. However, the variety of these activities and goals notwithstanding, it is important to examine the ways in which members are recruited into, and trained by, armed groups in the central-eastern tarai.

As Jasper (1997) argues, individuals may develop a sense of shared collective identity around tactical preferences. For example, participants within a movement might identify with “activist”, “organizational”, or “tactical” identities (Jasper 1997). “Tactical” identities, for example, are associated with styles of action such as nonviolence or civil disobedience whereas “organizational” identities reflect loyalty to a group and “activist” identities attach meaning to an idea broader than the movement itself (Jasper 1998; Polletta and Jasper 2001). As this chapter will demonstrate, non-state armed actors largely identified with “tactical” identities.

Furthermore, as Polletta and Jasper (2001) point out, tactical identities might originate outside or prior to the movement; experiences before their collective participation provide a collective identity and frame of reference for understanding political and strategic preferences. For some individuals, recruitment into a non-state armed group meant moving from one armed group to another. Specifically, when smaller groups fractured from larger groups, members either stayed with the original group or moved into the new group. One example is the early splintering of groups like JTMM from the Maoists. Later, JTMM split into JTMM-Goit and JTMM-Jwala Singh. Members of the first incarnation of JTMM had been originally recruited by the Maoists. As groups fractured further, recruitment outside of the Maoists, for example from local towns and villages, became a more prominent method of building cadre. In interviews with members of

²²⁷ Furthermore, NSAG members themselves would not readily admit that they were a purely “criminal” group, even if they were. All NSAG members claim to have political motivations.

local armed groups, one could find both types of “activist”: those who had been recruited during, or shortly after, the war by Maoists and those who had no connection to the CPN-M.

In Dhanusha district, I spoke with a young boy who was formerly a PLA member and had joined a local NSAG. He explained to me that he was twelve when he joined the Maoists and stayed on for two years. He was trained to make bombs and was involved in an attack on a police station. I asked him why he joined the Maoists and he gave the following response:

I went to the Maoists because of the Madheshi issue...and left because of Madheshi-pahadi feelings. I experienced torture in that group... Matrika [Yadav] told us that we would be [in the] government army and would get 4,000NPR salary per month [after integration]. So I went...they promised big things. We fought so many places. So many people died. They told us “if you die we will give money to your family, support your family”. But they didn’t. They promised martyr families 10 lakh [rupees]. I am ready to die for the liberation of these [Madheshi] people. From each home there should be a martyr. Prachanda told us “give all people liberty”, all [people] would get [equal] rights but they didn’t do anything [for Madheshis] (author interview March 2009).

The lack of Madheshi representation within the Maoists combined with promises to the community that were perceived as empty were a clear motivation for some individuals to join local NSAGs.

Other non-state armed groups had more direct recruitment methods which included visiting nearby villages and speaking with community members about recruitment and participation. One local NSAG leader describes how his group explains recruitment:

K: Where do you recruit?

AM: From tarai villages, poor people. The minimum age is 16, the maximum is 50. They get paid. When [there will be a] resolution they will get a salary²²⁸. If we get donations we will distribute them. They do not just get food and shelter... We go to villages to do work, to try to convince people to come to our party (author interview March 2009).

Part of “convincing” local people to join an NSAG involves discussing with them political matters, principally the idea of fighting for an autonomous Madheshi province. Not all members presume to be experts on such matters, therefore, they rely on trainings given by a variety of individuals.

K: Who gives political training?

AM: Lawyers, politicians, engineers, professors come here to train. They teach us how to speak (author interview March 2009).

Over the course of my interviews I heard about a variety of support and trainings offered to armed groups. One local leader told me that they received trainings from “intellectuals, lawyers, local people. And business people, *jamindars*²²⁹ give us financial support. And we also have secret support” (author interview August 2009). Several different individuals reported that they received training from retired Indian Army staff, though I was not able to confirm this (author interviews 2009).

²²⁸ During the time of this interview, this group was one of five NSAGs in negotiation with the Government of Nepal. In 2008 and 2009 the Government had entered into negotiations with non-state armed groups that it considered “politically oriented”. Through negotiations the Government of Nepal hoped to ‘mainstream’ non-state armed groups by having the turn in their weapons and join politics as “legitimate” actors in the political process. According to this leader there were six demands being made by the armed groups: “ (1) not to catch [arrest] people of the group (2) our group can walk outside openly without weapons (3) we are allowed to make *julus* [protest] in the village and the government should support us [not arrest] (4) around 400 of our people are in jail, they should be released (5) the government should be responsible for [the protection of] those people who are negotiating with the government (6) during this period if we need to put our group members in an NGO we should be allowed to put our people there (author interview March 2009).

²²⁹ Large landowners

Members of non-state armed groups in the tarai have deep networks within local communities. Relationships between NGO workers, human rights advocates, and armed groups are not uncommon. Throughout my fieldwork I learned that NGO staff often provided advocacy training, pamphlet production, and council to armed groups (author interviews 2008-2009). One self-proclaimed peace activist explained, “we need their support and they need ours” (author interview August 2009).

All cadre with whom I spoke reported undertaking some form of training, which varies from group to group. Political/ideological training could mean anything from listening to a retired lawyer speak to a group about rights, to engaging in ideological discussions with political commanders, to reading a book or attending a rally. One young man explained the order in which training is received: “first [we get] political training, how to gain people’s confidence, and then political ideology, then weapons” (author interview July 2009). Other members discussed rather slim political and ideological trainings. One young man described the following:

K: Are you getting political trainings in Marxism, for example, or in Madheshi history?

S: No, [we only learn] about Madhesh. Madheshi people are exploited by the state, especially in jobs. Madheshis should work and rule in tarai—and pahadis in pahad (author interview July 2009).

While NSAGs may hope for strong membership numbers, leaders explain that not everyone who wants to join will be accepted:

G: We can’t give membership to everyone. A person has to work with our party members for one month then our party will decide whether he is actually impressed on our issue. If he is eligible then we will take him.

K: What kind of work does that person do for one month?

G: If a person is serious about issues then we give him training. We have to watch his behavior, what he does. He will work with lower level people, he is watched all the time. If he is eligible to join... we will decide if he goes to politics or to the army (author interview August 2009).

Furthermore, basic combat training is offered to all members and consists of something like self-defense or the use of *kukhuris* or *lattis*²³⁰. Bomb making is considered advanced weapons training. Between basic combat and advanced weapons training cadre learn how to make, repair, and shoot guns. One member discussed obtaining and using weapons:

KM: All parties have weapons. Everyone has used weapons in the past. Ask me why we raise weapons and I will tell you: we have weapons, that's why we're raising the weapons. After negotiations finish with the government you will know how many weapons we have, we can provide you data at that time²³¹.

K: How are you getting weapons?

KM: The US supplies weapons legally only to the government. But we might have other mediums. We can get AK-47s from Pakistan or India. During the Taj attacks these terrorists entered from Pakistan. There are many *dalads* (weapons dealers), there are black markets. Getting weapons is not a very big issue for us (author interview August 2009).

Another NSAG leader described the types of weapons used and how they were procured:

K: And what kind of training do your recruits receive? What kind of work do you do?

AM: How to carry and use guns. And there are political trainings from whoever is in charge... We make guns, bombs, we make groups.

K: Where do you get your weapons?

AM: We make them ourselves. We get materials from India (author interview March 2009).

²³⁰ *Lattis* are a type of stick.

²³¹ This group was one of the five armed groups in negotiations with the Government of Nepal in the summer of 2009.

According to the Small Arms Survey (2011), weapons used both during the Maoist war and in the ‘postconflict’ period include homemade guns, pistols, explosives, and pressure cooker bombs. The same survey indicates that firearms cost between 1,000 and 10,000 Nepalese Rupees (NPR)²³² in India, while in the central tarai region of Nepal they cost between 10,001 and 50,000 NPR²³³. Most weapons are believed to come from the ‘homemade’ factories of India (IDA et al 2011). However, the weapon of choice for central-eastern tarai based armed groups was the IED which was detonated in public spaces to create fear and insecurity (SAS 2013b). Compared to the Maoists, central-eastern tarai based NSAGs have a far less sophisticated battery of weapons. While NSAGs want to be taken seriously in relation to their capacity to orchestrate violence, they likely do not have the ability to do so at the levels demonstrated during the Maoist war (Maycock 2011), nor might they have the interest as they are not engaged in direct, battlefield combat with the state.

Beyond training, amongst the armed groups themselves there exist a constellation of habits, orders, and rules that make up their lifeworlds. Living underground means taking a new name, surrendering contact with family and life-long friends, moving locations every day, and putting the party before all else. It requires taking an oath to kill your father before you kill your fellow party member (author interview August 2009). One member of a local armed group told me the following: “After we join our party we have certain rules. We are bound by these rules. So whoever comes in front of us—be it our father or mother—we have to protect our members, not our fathers. At that time the situation is that we must even kill our fathers to protect our

²³² Approximately USD \$14-140.

²³³ Approximately USD \$140-700.

members. This is how we train our leaders” (author interview August 2009). Another man discussed training by monitoring other international armed groups:

KS: We learned from the Taj²³⁴ incident. This happened when we were underground. We used to watch TV and from there we learned ideas about how people fight. Not only us, but even the legal people learned how to use weapons. They were taking painkillers and fighting. They had many bullets in their bodies, yet they were fighting. This is how we learned. Ajmal Amir Kasab was one of the terrorists who was alive and arrested by the Indian police. Indian police say he is alive, but is he dead or alive who knows? We learned from him also. Why shouldn't we be like him? Look at his courage. We learned that they are real activists. Television also showed this terrorist training center, how they got training even when they were underwater. Everybody watching that would be influenced by it. We even taped it to watch it at other times (Interview 22 August 2009).

Different NSAG members told me a bit about their experiences as “activists”, how they work, and the ways in which they built their new worlds as members of armed groups. Members shared the following:

KM: I cannot visit my family. We are activists, we cannot remain all the time with our family members. We have to work outside, attend meetings, contact our activists, plan. We work 24 hours a day. You know what the meaning of being underground is? Underground means leaving home, staying outside, working for the party. [This group] was established in 2054 (1997) and I have been involved in this party for three years (author interview August 2009)

RS: We live in villages with everyone who supports us. We stay in their homes. During the day we hide from police, at night we have meetings about how to work. We make plans and have regular contact with leaders. We are given different roles so we work according to what we are given. We don't know everyone's name in the village, but the village people know us (author interview August 2009)

MP: Our work is for 24 hours. We are operating every hour. We have divided our work. The center gives orders to the district activists, the district activists gives orders to the regional activists, and the regional activists gives orders to the area activists, the area

²³⁴ The speaker is referring here to the bombings in Mumbai in November 2008.

activists gives orders to the village activists. Every time there is transmission of information. There is no specific place to stay for each and every party activist. Frequently we have to change our place (July 2009)

KM: So many times we worked without food or water. When we were underground we got a lot of help and were able to buy weapons. All the parties got financial help. If I have to eat food then I call a house owner and tell him I want to eat food. But if they call me and offer me food then I never go to their place. Who knows, there might be police there. Pahadi people have also helped us. I have a friend in Kathmandu, we are still in contact. He was a Maoist victim but we solved his problem. He has kept our activists. This shows that pahadi people are also helping the Madheshi community—by hiding our activists. We get local peoples' help and some money is our own. Another way we collect money is, in the name of development the government sends money to its respective departments. We go there, we ask them the data about where they have really invested the government money. There are so many civil servants that have been using that government money for their own personal use. We interrogate that kind of person. Sometimes we kidnap them. And ask them for that part of the money for funding our armed activities. We have no savings. Everything comes little by little. We don't torture them. There are many rich people in our country. We ask them for their support and they give us according to their wish. We can make small bombs and *barood*²³⁵. The police say that they are working harder than us. But actually we have worked four times harder than them (author interview August 2009).

Non-state armed group members describe close contact with local level people, something that is important for gaining support-or, at the least, (forced) assistance-for their cause. They also describe the sacrifices they felt that they have made to be members of these groups and the ways in which they order their lives as activists.

As one local journalist explained to me, “Villagers help the armed groups. Some villagers deliver information to them, they feed them and give them shelter and provide individual support. Villagers are easily influenced by the activities of these armed groups. Whether the armed groups do right or wrong, the villagers help them (1) because they are afraid of their activities and (2) because some are influenced by their politics” (author interview July 2009).

²³⁵ Light weapons

Doing Violence

Several people spoke openly about *doing* violence during the course of my interviews in 2008-2009. As discussed in previous chapters, and in the sections that follow, several explanations exist that help us to understand participation in violence including the psychological functions of violence, such as the satisfaction of revenge, reversing power inequalities, or personal ambitions and jealousies (Keen 2008: 20).

In March 2009, I interviewed the leader of a local armed group who described the following incident with local government representatives, demonstrating his desire to reverse power inequalities in his district:

KS: We have killed many people. We threaten those people who are government servants on the wrong path. In Birganj we killed the CDO at noon in his quarters.

K: Why did you kill him?

KS: We took revenge. He had ordered his force to kill one of us. Our people had done nothing. This was our revenge. We don't kill unprovoked. Behavior should be human, not animal. In Kapilvastu we kidnapped the LDO for 9 days. A human rights worker released him. When government captures our people they torture them. We follow human rights and behave according to human nature. We obey human rights [he implies that they don't use "torture" as a method] (author interview March 2009).

Kledja Mulaj (2010) writes that non-state armed groups make 'strenuous efforts to justify their use of force within the discursive contours of the international community, suggesting that they are not indifferent to international practices and norms, although the international community does not always appear to realize how far its preferences impact on VNSA's [violent non-state actors] behavior and policies (16). The interview continued:

K: Why do you feel like you must kill?

KS: Two reasons: (1) historically for revenge, (2) for our safety and rights--we are defensive not offensive.

K: So you think that the state doesn't provide safety?

KS: Our aim is to try to bring peace and [for this we] must have gun. The government provides no security for us. There is a history of the government carrying guns—in the Madhesh Andolan they killed peaceful protestors. What can control power? Balance. If one person carries an AK47 the other will not feel power, only one person feels power. If two people carry [guns] then they are balanced with fear (author interview March 2009).

The goal of the armed groups was, therefore, to invert the power pyramid: those who were marginalized would become “thulo maanche” (big men) and their former “rulers” would be subject to new “rules”. Participation in armed groups perhaps offered a sense of ‘respect’ for those who had been accustomed to discrimination along ethnic lines (Keen 2008: 54). One way of thinking about NSAG participation could include the possibility that members of tarai armed groups were perhaps looking for ways of finding recognition and respect, however forced it may have been. Judith Zur suggests that perhaps there is an immediate sense of power in holding a gun and evoking fear in fellow civilians that compensates for years of disrespect (2001 in Keen 2008: 54). Steenkamp (2005), writes that violence may become a way of acquiring social rewards in that violence can offer a “quick and easy way to level the playing field in an effort to gain power”; values which were reinforced by the use of violence during the war (262).

Activists reportedly attacked “those who are or look like Nepali of hill origin... because the Government is dominated by Pahadis” (IDA et al 2011). Another local NSAG leader explained to me the following:

AM: In tarai if there are [going to be] police they should be Madheshi. There is no representation of [the] Madheshi group. We want in every sector to have Madheshi representation. We are not killing common pahadis. We kill those who are corrupt...I don't feel any pity for people who are torturing Madheshi groups, who are taking 85% of the food. To kill them is not a hard job...It will take time. The Maoists took 12 years. We are established only 4 years. We can't kill them all at once. We need to manage our time. It takes time. To kill one person it takes time. If we kill all at once the public will have fears. But if [we kill people] one by one it does not make so much difference to public people (author interview March 2009).

This discussion of violent strategy demonstrates that NSAGs use deliberate and intentional targeting of a group of pahadi elites and government representatives (deemed “corrupt”) to achieve specific aims. NSAG violence is therefore neither irrational nor unplanned; strategy is employed to obtain its most preferred possible outcome (Frieden 1999 in Hultman 2008).

Other members of NSAGs view violence not as a strategy, but as a tactic. In this way, violence is not utilized to achieve a goal, but is rather an unplanned action or consequence. During a focus group discussion in 2009 with a group of new NSAG recruits, the young men discuss violence, trying to decide how they feel, independently and collectively, about violence:

K: When is it ok to do violence?

#1: Yes, definitely there will be violence when another person comes and starts beating us. It happens when the situation gets really tense. I have to protect myself at that time. I will first quarrel with him but when he continues beating me I have to use whatever is in front of me—it can be a stick or stones. One cannot remain quiet all the time.

#2: To protect myself or ourselves there must be violence.

#3: [interjection]: At first the two parties try to discuss on the subject. But sometimes, in some situations, when we cannot handle the situation then violence starts. Any person can kill another.

#1: (interjection): yes, in that case violence is necessary. First there is conflict and after there is violence. It starts first by debates and later with stones, sticks, and even weapons. It is not a personal wish to get involved in violence. Violence happens if one group disobeys or harms another group. We are compelled to do violence when the situation

gets worse. No one does violence for no reason. There is always a causal factor behind every [act of] violence. The cause behind violence can be one or can be many.

#3: Are violence and conflict the same or different? What do you think?

#1: Maybe they are the same

#2: Yes, it is necessary but not all the time. If it is for individual or communal rights violence is necessary. But not always. If the situation is unbearable then violence has to happen. Violence cannot be always intense. Sometimes it is less, sometimes more. Sometimes it is so intense that we are ready to kill each other.

#1: Yes, we love our lives. We don't use violence just to show our power. There is always a compulsion behind every act of violence. There are factors that push us into violent states and states of conflict.

#4: Violence starts after the quarrel between two individuals or two groups.

#1: You said that there are reasons behind violence, yes I agree with you. What we are doing now is because we are discriminated, we are exploited by the state and by the pahadi people. So we have come out in the streets. We tried to get our rights through the street protests. But the state did not consider us. So many of the armed groups are raising weapons. After we raise our weapons there is definitely a chance of violence.

#3: Is it violence first or conflict first? First conflict or violence? What do you say—is it violence first, or conflict?

#2: Maybe first sufferings, then violence.

#4: First maybe violence, then sufferings...

#3: Ok ok, let's give our opinion of rights

#1: Ok, what kind of rights?

(long pause)

#2: We will give some examples. In our tarai there is a strong feeling between Madheshi and Pahadis these days

#3: (interjection) Let's not talk about this topic.

#2: Armed groups are doing *bidroh*²³⁶ because pahadi people have been discriminating against us from the very beginning. At first Madheshi groups had conflict with the state and at this stage we are doing violence in the streets which is a necessary condition and now we are raising the weapons, that is our compulsion (author interview August 2009).

²³⁶ Conflict

Through the conversation it becomes obvious that not all the members in the discussion hold the same opinion about using violence. The young men raise deep philosophical questions about violence and conflict at two different points in the conversation: asking if violence and conflict are different and questioning whether suffering precedes violence. Most of the boys agree that violence is both a way of protecting oneself as well as a way of asserting their identity.

Performativity

In many ways, the violence that is being done in Nepal's central-eastern tarai is also performative²³⁷. Chapter one discussed violence as having "communicative" properties. Non-state armed groups in the central-eastern tarai often used violence as a tool to communicate a message to a range of actors: the Government of Nepal, the country's elite, the local community, as well as the international community.

In a focus group discussion with members of an armed group in their area young men discussed the escalation of violent conflict should their demands not be met by the Government of Nepal:

#1: There state has a politics of discrimination. This has made us enter into armed groups.

#4: This is for our rights...

#3: If it does not call for the dialogue²³⁸ what will happen?

#1: If [the state does not call us for dialogue] then there will be severe incidents, war—like what happened in Sri Lanka. A Taliban war [or] like Al-Qaeda. Like those who are fighting for jihad...

²³⁷ This is not to say that it is spectacle, nor is it to say that this is the only purpose and meaning of violence.

²³⁸ The speakers are referencing negotiations with the Government of Nepal. During the time of the interview negotiations with select NSAGs were ongoing. Entering into negotiations signaled that a NSAG was perceived to be "legitimate" and "politically oriented" by the Government of Nepal and, once a negotiation was reached, NSAGs became mainstreamed into the national political process.

#3: Mm, the Nepal government must be alert in time, before some youths enter into these kinds of national and international networks. And if this happens this will be the great loss for the country (author interview August 2009).

These young men describe a “worst case” scenario for the Government of Nepal: increasing violence against the state and joining more powerful international terrorism networks. Whether or not such a thing is realizable, it is important for these young men to vocalize their threat to the government in an effort to signal that they hold a certain position of power and the potential to weaken the state.

In speaking with non-state armed groups there was a general theme that ran through our interviews: an assertion of identity, of presence, and a demand to be recognized. The leader of a local non-state armed group explained to me his perception of how issues are framed and the power of perception:

How other people perceive us is the main thing. Anything can be frightening if you make it so. We can be afraid of the snake because of its venom but we can also use the venom to cure a bite. [It is] only because of the present condition, the environment that we are in, [that we are] making the distinction between our blood. How people understand is through differences.

[Pause]

Before the [next] war starts there will be a loud drum, a war drum. *Ma tiyo drum mero chala bata banus. Ma garva moshus garchu.* [The drum should be made of my skin. If that drum is made of my skin I will feel pride] (author interview March 2009).

This individual was well aware of the power of his words and the imagery he was able to conjure up. For him, using simple language, for example, “differences in blood” and imagery, like “war drums”, this leader hopes to capture the attention of both local civilians and the government. He

acknowledges that binary distinctions are important in framing complex issues and therefore utilizes language that emphasizes difference, making his campaign more accessible to a wider audience. It should also be noted that this NSAG leader might have very well been performing for me as well, attempting to assert his own power and dominate the interview.

The act of becoming “visible” (through politics, positions of power, amassing of money or guns, etc.) has been an important aspect of the conflict in the central-eastern tarai. Several people spoke of making their voices heard through demonstrations, *chakka jams*, *bandhs*, and violence. A member of one armed group told me, “We are not creating violence. We are alerting the government of Nepal to our deprivations” (author interview August 2009).

Other armed group members discussed participation in non-violent actions as a means of communicating with the government and juxtaposed such action with violent action. Many described their perception of the usefulness of demonstrations such as protests or *chakka jams* in relaying a message to the government or reaching a particular goal. Armed group members shared the following:

KM: At present [people] think if you want to get some rights you should shut the market, do chakka jam, bandh. [they think that] chakka jams will get our rights. If you stop people getting from one place to another this will get our rights. Government itself is corrupt. They don’t listen if we speak in a polite way. If we do a strike, if people are killed, then only the government listens. We don’t have any alternative to make the government listen to our own voice (author interview March 2009)

AS: As long as people do not raise their voice to fulfill their demands, their rights, then the top level leaders or the government will not care for the community. So in Nepal, it has been necessary to have movements and strikes and bandhs to fulfill our demands (author interview July 2009)

KM: In our country it has become a kind of trend to pressure the government to fulfill our demands. Unless we do this our rights, our voices, our demands are not fulfilled. Therefore I think it is necessary to have movements to fulfill our rights. In the 1990

movement different people from different places took part in making their demands. And some kind of violence erupted at that time also. Violence was found in that movement which was good for the people. Therefore, without violence it is not possible to get our demands. So violence is necessary. Without violence our demands cannot be fulfilled (author interview July 2009).

NSAG members explain that their actions must be visible if they are to be taken as valuable players in a political landscape. As “non-violent strategies become less effective and smaller groups become more vulnerable to political violence, taking up arms might appear to be the only way to make their voices heard” (ICG 2010a: 26).

Conclusion

Studies of non-state armed group participation often capture individual reflections on mobilization and recruitment *after* they occur and a conflict has ended. However, this chapter presented ethnographic data regarding non-state armed group participation gleaned from participants *as it was occurring*, situating commentary on the phenomenon in the moment. It further explored the dynamics of armed group activity in the central-eastern tarai and offered a response to academics lamenting that “we do not know enough about postconflict” (for example, see Cramer 2002). As such, provided in-depth information about the workings of these conflict actors, both rhetorical and mundane, providing an ethnography of the ‘postconflict’ landscape.

Further, this chapter has demonstrated how the social context of ‘postconflict’, a renewed ‘rights’ discourse, and the looming prospect of ethnofederalism have created pressures within the central-eastern tarai, contributing to the recruitment of activists. Rather than straightforward explanations of “greed” or “grievance”, the individuals interviewed here also expressed a sense

of “pleasure in agency”, a feeling that they were contributing to their communities within a web of relational constraints. This chapter also explored the ways in which members trained themselves to be part of an armed group and illuminated the meanings and lifeworlds that being an armed group member generated. Such information generates detailed insights into the emergence and practice of non-state armed groups.

CHAPTER NINE

Civilian Counterframes

This thesis examines new political contestations in the central-eastern tarai in the postconflict period. It seeks to understand the ways in which social relationships are being re-forged at the local level and asks how both conflict actors and local residents perceive and experience continued violence in this region after the signing of the Comprehensive Peace Agreement. The previous chapter presented narratives of conflict actors in the central-eastern tarai and examined the ways in which they participated in violence and what meaning that held for them. This chapter offers original ethnographic data collected through interviews and focus group discussions with local residents focusing on questions of perception: why did local residents believe that violence continued in the central-eastern tarai after the signing of the CPA? As such, this chapter underscores the heterogeneity of postconflict experience and, in particular, identity formation; while some individuals supported and accepted the work of the non-state armed groups, others vehemently opposed it. The sections that follow present the ways in which civilians in the central-eastern tarai perceived the continued local-level violence in the years 2007-2009. These “counterframes” (Benford and Snow 2000) are: political context, elite manipulation, open border, rent-seeking and corruption/law and order.

Counter Frames

Central-eastern tarai NSAGs’ ability to foster a pan-Madheshi identity is questionable. There are many individuals who do not support, or remain uninterested in the NSAGs’ narrow definitions of what it means to be Madheshi. Attempts “to rebut, undermine, or neutralize a person’s or group’s myths, versions of reality, or interpretive framework” have been referred to as counterframing (Benford 1987:75). When civilians offer “counter frames” (Benford and Snow 2000), this presents a challenge to NSAGs in the central-eastern tarai. Benford and Snow (2000) explain that a movement’s resonance with their target audience depends on two factors:

credibility of the frame and salience of the frame. In other words, the target audience (civilians and potential recruits) must be convinced that there is consistency between the claims made and NSAG actions taken (does the movement do what it says it does?), that frames correspond with empirical events and are believable interpretations of reality, and that articulators of the frame (NSAGs and politicians) are credible actors themselves (619-622). The discussion that follows examines the counterframes local residents offered in the years 2008 and 2009.

How and why did ethno-nationalist rhetoric appear in the central-eastern tarai? And what purpose does it serve? Leaders of non-state armed groups utilize specific frames to garner support for their cause; the extent to which political opportunities constrain or facilitate collective action is partly contingent on how they are framed by movement actors as well as others (Snow et al 1986). Polletta and Jasper (2002) point out that “mobilization does not always require preexisting collective identities; therefore, frames are critical to recruitment” (292). As Richards (2005) argues: ‘successful’ conflict entrepreneurs understand well the dynamics of antagonism, skillfully infusing some boundaries with greater meaning than others. Those who promote war have the job of rendering the enemy “not like us” (Richards 2005: 17 in Goodhand 2008: 226).

Non-state armed groups in the central-eastern tarai have begun to demand particular ways of performing ethnicity; groups are pushing to define “authentic” ways of being Madheshi. Lecomte-Tilouine found this, too, in Magar associations that began outlining expected conduct and behavioral norms and defining what is ‘authentic’ (2009)²³⁹. As such, NSAGs in the central-

²³⁹ See also Adams 1996 on ethnic authenticity in Nepal.

eastern tarai use frames to construct a specific, pan-Madheshi identity to advocate for a unified, autonomous Madheshi state. Polletta and Jasper (2001) remind us that collective identities are constructed and

describe imagined as well as concrete communities, involves an act of perception and construction as well as the discovery of preexisting bonds, interests, and boundaries. It is fluid and relational, emerging out of interactions with a number of different audiences (bystanders, allies, opponents, news media, state authorities), rather than fixed. It channels words and actions, enabling some claims and deeds but delegitimizing others. It provides categories by which individuals divide up and make sense of the social world (Polletta and Jasper 2001: 298).

I asked a local leader of an armed group to explain to me what it meant to be Madheshi:

It means difference, heredity. Historically—[Madheshis live from] west to east. We are Arayans. Geographically we are living in one area. Culture, custom, tradition, language [are different from pahadis]. The way we speak is different. Our blood is different. The festivals we celebrate are different. The way we pray is different. When taraians pray we give a *laddoo* to gods. In Kathmandu they offer eggs to gods (author interview March 2009).

For this man, defining difference was essential to his understanding of fighting for a distinctly “Madheshi” province, one which was home to “authentic” Madheshis. Another member of an armed group shared the importance, to him, of carving out a distinct Madheshi identity as part of fighting for “ek Madhesh, ek Pradesh”:

To revive the Madheshi identity the Madheshi movement was started because everyone needs their identity and rights—their food practices, their dress, same religion and culture. All should be the same way, like Hindu culture. People who believe in different religions live in this Madhesh—Hindus, Muslims, Christians. We have *dhori kurta*²⁴⁰ as our custom, *gamcha*²⁴¹ to identify Madheshis. We have festivals like *Chad*. *Chad* is also our identity...So to establish such traditional culture, to preserve the culture people started thinking to revive these unique aspects because it is the identity of Madheshis. To maintain that culture should be the main purpose. Talking about language and songs—we

²⁴⁰ A type of dress

²⁴¹ Scarves

have different kinds of songs to be sung at different occasions. These kinds of songs are also our culture and heritage. This is also the identity of Madheshis. We say that preserving this kind of culture is essential (author interview July 2009).

For the armed groups and political parties in Nepal's central-eastern tarai, a unified identity has been essential to demanding a Madheshi province. For Madheshi activists the notion of "ek Madhesh, ek Pradesh" was an important one, not just for the people of "Madesh" but for the continued justification of their presence and activities. For Mattern (2001), a narrative or specific rhetoric can produce the same kind of influence as physical force and trap actors into compliance according to the representational force of a specific identity embedded in the narrative; actors can wield the power politics of identity by using "forceful narratives to trap their victims with a nonchoice relinquishing their dissent and complying with the "we", or erasing, sacrificing or otherwise "killing off" some aspects of their own identity. In effect, the power politics of identity are enacted through a narrative 'gun'" (in Bjornehed 2013). In the central-eastern tarai,

Widespread institutionalization and legitimization of Madhesi identity impacts dozens of other ethnic minorities within the Terai. The One Madhes policy challenges a Teraian's conception of self, as individuals are forced to choose between being Nepali and Madhesi, in the process abandoning the overlapping, coexisting, and sometimes contradictory identities of class, caste, and religion that are commonplace in Nepal (Miklian 2008: 9).

The section that follows examines the political context around which such framings are constructed.

Political Context

The emergence of NSAGs in Nepal's central-eastern tarai must be situated within the postconflict context of conflict that contributed to the increased political awareness of many disadvantaged and disempowered groups across Nepal (Maycock 2011).

The Maoists opened up the space for publicly challenging the state and its discriminatory policies. But, in doing so, they justified “their own violence with their agenda of ethnic justice and class struggle and have thereby helped legitimise the political violence of others” (ICG 2010a: 16). To be sure, the Maoists’ legacy helped to create the new armed groups. Using violence as a tool for political and social transformation, the Maoists “popularized it, removing it from the purview of the state, and transforming it into a tool for political and social expression, whether in the confines of a village or household” (SAS 2013).

In an interview with a Madheshi intellectual in Biratnagar, the respondent reflected on why violence continued in the central-eastern tarai: “the Maoist ten year war brought these issues to the surface, the Madheshi movement was now able to *harvest* them (author interview February 2009). During their “People’s War”, the Maoists raised issues of discrimination, exploitation, and oppression by using local frames such as gender, caste, class, and ethnicity, arguably increasing political awareness amongst a variety of disadvantaged and disempowered groups. In addition to creating ethnic fronts such as Madheshi National Liberation Front, Limbuwan Mukti Morcha, and others, therefore establishing their political authority, the Maoists made ethnic federalism²⁴² part and parcel of their new platform: creating provinces based on ethnic (*jatiya*) identity²⁴³. Leadership and government representation of that administrative unit would come from the ethnic group for which the province was named (Gellner 2011).

²⁴² The Maoists prefer the term “nationality” rather than “ethnicity”. Maoist ideologue Baburam Bhattarai explained this to Kathmandu Post editor as follows: “nationalities are formed when a group of individuals live in a particular area, have similar living conditions, face the same kind of marginalization and oppression and develop a common language...nationality is a product of shared history” (Adhikari 2009).

²⁴³ The Maoists’ original proposal for federalism comprised eight states: Madhes, Tharuwan, Khasan, Magarat, Tamuwan, Tamang, Newa, and Kirat. In August 2009, the Maoists modified their proposal and created 15 states (Gellner 2011; author interview July 2009).

The Maoists divided the tarai/Madhesh into two units: Tharuwan, in the west, and Madhesh, in the east (ICG 2007d)²⁴⁴. In response, Madheshi activists have subsequently taken up the slogan “ek Madhesh, ek Pradesh” meaning “one Madhesh, one province”. In a Madheshi province it is envisioned that Madheshis would have increased representation at the state and national level, increased access to economic opportunities, would enjoy more social freedoms and civil rights, and occupy administrative posts (author interviews 2008-2009).

However, some people felt that they were being used as political tools through elite machinations. One man shared with me, “When the Maoists were in government they did not consider this issue of Madhesh. We know that they have reached the government by using the slogan of different provinces to different communities²⁴⁵” (author interview July 2009). For this man, Maoist “slogans” about Madheshi inclusion were simply a strategy to gain political power. David Gellner echoes this when he writes, “The prominence which the Maoists have given the ethnic issue has raised the question among commentators as to whether the Maoists genuinely seek to address the grievances of ethnic activists, or if they are simply playing the ethnic card because they knew they can outflank the other political parties on the issue” (2011: 54). Another local man shared with me the following reflection:

During the period of insurgency the Maoists provoked that group, this group, Limbuwan, [they created the] Madheshi Mukti Morcha. These kinds of ideas emerged for the first time...Maoists encouraged the Madheshi Mukti Morcha. When they say liberation—liberation from what? They distributed different kinds of dreams to the people (author interview March 2009).

²⁴⁴ This has angered many Tharu *and* Madheshi leaders because both claim that their ancestral territory spans from Mechi to Mahakali (author interviews 2008-2009).

²⁴⁵ By different communities, the speaker means ethnicities, although the Maoists’ favored term is “nationalities”.

This reflection highlights the role that Maoist rhetoric and action played in opening up a space for discussing issues of identity. For some, this meant new ways of thinking and acting which prompted “different kinds of dreams” but, for others, it meant uncertain futures.

For some respondents, the Maoists taught the tools of political mobilization to current armed group leaders, for example Jai Krishna Goit and Jwala Singh or political leaders like Upendra Yadav in their years as Maoists. One man shared with me, “all armed groups, whether today or tomorrow, belong to the Maoists” (author interview February 2009), meaning that armed groups, in his opinion, were born from the idea of the Maoists. An older man, and supporter of the Nepali Congress, surprised me with his honest reflections on the Maoist PLA:

It was because of the PLA and the organizational skills of the Maoists and because of the terror they created that it could be possible to overthrow the monarchy. Had there not been a Maoist insurgency the institution of the monarchy could not be overthrown. This is a fact. To some extent the people of Nepal are grateful to Maoists; the kingship was at the root of all evils spread in the country. It was overthrown. At least the greatest obstacle has been removed. Maoists must be given credit. We needed the PLA (author interview March 2009).

Another local man explained that, for him, the Maoists created the current conflict in the central-eastern tarai:

Maoists were supposed to raise the class conflict but they raised issues of ethnicity. Right now in Madhesh it's different because it's not a class conflict, it's an ethnic conflict....for people in Madhesh it's more than constitution writing, it's nation building. During Prithvi Narayan Shah's time it was nation building and now it's the process of nation building...people of different ethnicities want recognition in a formal, dignified way. Together with dignity they want rights...this is the reason behind changing dynamics in Madhesh (author interview March 2009).

A local Madheshi politician explained, “Before, Madheshis could not express themselves...Maoists advocated for freedom of people. I do give some credit to Maoists for advocating for Madheshi people ruling themselves” (author interview August 2009). One individual shared, “the credit goes to the Maoists from the last 10 years. They taught [people] how to carry guns” (author interview February 2009). Another man explained, “Some political parties, due to the Maoists, learned policy of arms. Taraian people began to believe power gained through arms... Right now people think everything should be solved by politics of arms. This came from Maoists” (author interview March 2009). Discussing the issue of violence with a supporter of an armed group, I asked why he had pledged his support to a group that used violence to advance Madheshi rights; he responded that, “the Maoists used weapons and, after that, the Madhesh Andolan started peacefully. But, the central level MJF [national political party] did not have the foresight, so we needed groups [like this one] to take up arms” (author interview July 2009). In a conversation with a husband and wife in March 2009, the husband explained, “who is in the government? Maoists. They came by taking guns. Now tarain people’s psychology is like this: when the Maoists came with guns and got [to be] Prime Minister then they think, ‘why can’t we take the gun and take power?’” (author interview March 2009)²⁴⁶. Similarly, one local man explained of the armed groups, “Rather than being against the Maoists, they learned from them. If they gained political distinctiveness and recognition from the government, then all things would be excused” (author interview September 2009).

²⁴⁶ This parallels with ICG’s findings where one interviewee explained: “The general feeling is that if the Maoists can get 83 MPs and five ministers through the sheer power of the gun, what is wrong if other groups with more genuine causes take the armed route?” (2007d: 17).

Several individuals explained to me how the Maoists had comparatively less support in the central-eastern tarai than in other parts of the country but how that, in and of itself, helped to shape the current conflict:

[During the “People’s War”] Maoists didn’t penetrate [tarai communities] very deeply...there were different reasons [for this]. They needed an open border...[the state] would have tightened border security...and Maoist cadre took training there [in India]. They had to keep [the border] open without attracting attention. Language is also a factor. If you look at the [Maoist] Party committees they are led by pahadis and their main language is Nepali. On the border there are many languages spoken and it is not easy to work in these areas (author interview March 2009)

[People in tarai] have their own language, religion, culture. [In tarai communities] everything-language, religion, social status-matches with India. But for Maoists, it did not match. To make committees it is always easier when there are the same kind of people. It is hard to be distinct. Maobaddi were pahadis...in Biratnagar the poor and oppressed are adivasi, the [Maoist] leadership is Brahman. They don’t represent the adivasi communities (author interview August 2009).

This sentiment offers insight into the dyad of violence between Maoists and Madheshi armed groups. For this man, and for others, Maoists typified pahadi culture and represented the potential to continue, what was perceived to be, a legacy of marginalization of Madheshis. While the Maoists raised issues of ethnicity, ethnic discrimination, and ethnic federalism, they were unable to garner the mass support in the central-eastern tarai as seen in other districts in Nepal. The individuals quoted above explained that the Maoists’ disadvantage became other armed group’s “comparative advantage.”

Some local civilians reflected that, in conjunction with a politics of arms, Maoists taught new armed groups rhetorical political weapons as well. One man shared, “We are forced to think in terms of identity. This [idea] was raised by Maoists with guns in their hands” (author interview

July 2009). Others felt that the Maoists taught armed group leaders strategic tactics of collecting money from the community: “Now there are 32 insurgent groups in the Tarai belt. They don’t have any political thinking or demands. They are armed with only one ambition: to collect money and to terrorize people. Who taught them this technique? The Maoists. Leaders of the Madheshi community, Goit, Upendra Yadav, Matrika, all of them are former Maoists and now they have established their own groups” (author interview March 2009). Another local man explained the ways in which the Maoists opened the space for current armed groups:

In our area the Maobaddi were unsuccessful so they opened the Madhesh Mukti Morcha in Madhesh, the Limbuwan and the Khambuwan [in eastern Nepal]. If the cultural issue is not raised then there will be no success. Marxism’s main principle is class differentiation in the economy. But this idea will not become successful in Nepal—these ideas were tested earlier in Nepal, so in this context by imitating this, Jwala’s groups, Goit’s group have been raising the issue of language and culture to give some kind of freedom to the Madheshi people. But what we can see is unfortunate—in so many armed groups, what is their interest? They are not clearly stating it to the Madheshi people (author interview July 2009).

Continuities exist between the PLA and the armed groups, at least in the tarai. Such groups were perhaps an outlet for former PLA soldiers that, for a variety of reasons (i.e. disqualified, deserted, etc.) found “refuge” in the new armed factions (author interviews 2008-2009). In speaking with a woman in the village market one afternoon, I asked her what she thought had changed since the Maoist war was over. Her response was simple: “it’s all the same, they just take different names now” (author interview March 2009).

While the Maoists opened up the public space for political comment and action it also, as evidenced by the comments above, influenced the ways in which people thought about and used physical, material, emotional, and psychological violence. For many people, their knowledge of

conflict is rooted in their direct experiences. Many of the people with whom I spoke used relational logic to explain, to themselves and others, the violence that was occurring around them. Often, individuals would spontaneously compare the Maoist “People’s War” with the everyday violence they were experiencing, using the Maoists and their “People’s War” as a frame of reference for how they thought violent conflict should be pursued.

In some ways, this prompted a sense of “nostalgia” for the war and concluding that Maoist violence was “better” than the situation in which they now found themselves. One woman told me, “the previous conflict was far better. At that time there were only the Maoists. Only one group was the problem. Now, there are so many small groups” (author interview March 2009). Another woman reported, “the situation of tarai is worse, even worse than during the Maoist war” (author interview July 2009). For local people, social and political hierarchies were more clearly defined prior to the “People’s War”. Even the conflict “offered a well ordered, if risky, scenario. The transitional period has presented more complex challenges. The feeling of disorder and disintegration is a common and deeply felt sentiment, perhaps more difficult to cope with than the conflict itself” (ICG 2010a: 40).

People often reasoned that the Maoists, while undeniably violent, had several *social endowments* that made their violence intelligible: ideology, political goals, and political organization (author interviews 2008-2009). By comparison, when people spoke of the armed groups active in the tarai they described them as lacking ideology, political goals, and organization (author interviews 2008-2009). One man told me, “Maoists have political orientation, whether that’s good or bad. But these groups don’t. They only have networking, good networking” (author interview March

2009). Another individual shared, “There is a great difference between Maoists and present-day armed groups. They [armed groups] have no objectives, no goals. Ninety-nine percent of activists cannot really express their issues cannot define what they are doing...they don’t have a connection with village people or have relationships with village leaders like the Maoists had...they don’t use the money [obtained through extortion] for the party but for their own purposes. They are corrupt” (author interview August 2009). Another man reflected, “These armed groups do not have a clear ideology like the Maoists have” (author interview July 2009). Another individual commented, “between them [armed groups] there is no control and command, no systematic order” (author interview March 2009). Another individual stated, “there are no rules of the game. In tarai anyone is targeted” (author interview June 2009). One woman explained to me her view of armed group activities: “The situation is that the armed groups are saying “accept my view or I will kill you”. Killing, kidnapping, looting people’s houses, threatening, asking for money for donations, these criminal activities are increasing every day in the tarai” (author interview July 2009)²⁴⁷. A local business owner shared with me his impression of armed groups: “The Maoists gave so many slogans...now in the tarai there is a feeling that tarai Madhesh should not be ruled by the pahadi community. On this basis they are doing politics...my feeling is that tarai based [activists]...are unstable, aimless, and baseless. They are doing politics haphazardly (author interview September 2009). As one woman explained:

Not much has changed in tarai [since the CPA]. Some tarai parties are formal, others have not registered formally and have taken up arms. There are criminal groups with criminal tactics. They threaten violence, abductions, kidnappings, extortions...they use phone numbers to give threats, they use personal violence. They target factory owners,

²⁴⁷ One International Alert report stated that Madheshi youth in the tarai were lured by ‘three M’s: money, motorbike, and mobile” (2008: 8).

rich persons, landowners. There is more of this now than during the conflict (author interview February 2009).

Another woman commented, “They have no political programs. They say that they are working for Madhesh but their activities are criminal...they just throw bombs, threaten. They create terror for their own benefit. They are not working in a political manner (author interview February 2009). A local NGO worker explained, “Madheshi [armed] groups are now even killing Madheshis, exploiting other Madheshis for personal gain” (author interview March 2009). For the armed groups, their “criminal activities and the fact that they target Madheshis as much as hill-origin *pahadis* has cost them wider sympathies” (ICG 2010a: 18).

For local people in the central-eastern tarai, the Maoist “People’s War” shaped their expectations of non-state armed group behavior. While it was often explained, as discussed above, that Maoists “taught” the current armed groups the “politics of the gun”, very few people ever discussed their use of violence in specific ways; “violence” was always a vague reference when discussing the Maoist party. Instead, local people often interpreted local armed group violence as something more arbitrary and not always for political reasons. “Violence”, within the framework of rebellion, for many people meant selective violence: specific, targeted acts with political intent. But, for many people in the central-eastern tarai, violence was directed at “civilians” rather than the state, which rendered such violence confusing or illegitimate. The following quotes highlight this point:

If the armed groups really want to pressurize the government to fulfill the demands of the Madhesh and Madheshi people then why are they torturing the people? Why aren’t they going straight to the government and pressurizing them? Their fight is with the government, so they should pressurize the government, not the common people. The local people are neither getting benefits from the state nor from the armed groups. They are always suffering. So what we have to say to the armed groups is “if you are fighting

with the government then pressure the government. Why are you torturing the simple, poor, already victimized people? It is better to fight with the government or government mechanisms". From the very beginning, from the Maoist war also, local people were killed. They had to suffer. And in this period the armed groups are also torturing the local, simple people. At least in the time of Maoists the Maoists attacked the state's mechanism, like police and Army, but these armed groups are not doing this, they are only killing and torturing the local people. Therefore how can we say that these armed groups are fighting for the common people? The Madheshi politicians should understand that killing or torturing the Madheshi people—be them Madheshi or pahadi—means killing the people of Nepal (author interview July 2009)

Weapons are used just to kill people, beat people, kill ideas, destroy families and that is a great loss for our country. We should know that when a person is killed there is very little harm to the state but a family loses one of its members, maybe that person is an earner for the family. That person is somebody's son, someone's husband. How can a family live or survive if a member of the family is murdered? The state doesn't lose when a person dies, but the whole family has to suffer if one of the members dies. Therefore what the groups should understand is that the killing of a person means the family of that person will suffer because the one who is killed is not a political leader, he is not a big man. They are the ordinary people. The big people or the political leaders are never killed, they never suffer. But the poor people are suffering (author interview July 2009).

We are not able to lead our lives by ourselves. They just keep killing people with the gun, making women widows, making children orphans. Living life with pressures and risks is conflict too. Not just using a gun means "conflict". Suppose someone says "do this" and I don't and they say I will kill you, then another says the same, how can we be open? We are always being captured in the middle, tightened. This environment is getting worse (author interview March 2009).

If the leaders really want the ordinary people to live a better life then they should provide us peace and security. Why are the state and the armed groups killing the innocent people? When an ordinary person dies, when a head of the family dies, we can imagine the condition of the family in the future. Have any of the political leaders once visited and asked about the condition of those people? If these people are really concerned about the problem of ordinary people why are they killing the innocent? The political leaders will never suffer from economic problems or become insecure because he has a lot of facilities, he has a personal guard, house guard to support him. He may have lands in the Tarai for his family. If he dies there will be no problem for his family or his wife because he already has plenty of money for his family. But the ordinary people do not have all these facilities or opportunities. They have to suffer every day. The leader does not think of those laborers, the daily earners, the workers who earn not more than 70 or 80 rupees per day. How will their conditions be improved? What are their daily needs? These kinds of basic questions are not being raised by the political leaders (author interview July 2009)

Quotes such as those above echo the pain of violence experienced and raise questions about violence used against civilians. Such questions have also been the focus of scholars. As Hultman (2008) notes, targeting civilians appears to be counterproductive when considering that rebel groups will have to rely on the loyalty of those very same people if and when they succeed in their struggle to influence the future political arrangement. Weinstein (2007), for example, argues that the type of rebel recruit impacts on the indiscriminate use of violence against civilians: where recruits join for opportunistic reasons, the risk of violence against civilians increases as compared to recruits who participate for ideological reasons. Cunningham et. al (2010) argue that, in wars of self-determination where multiple factions are present, violence against co-ethnic civilians is a means of controlling the population through punishing those who are perceived to support other factions. Non-state armed groups also use tactics such as the creation of confusion, chaos, and fear to show that those in power cannot govern effectively (Mulaj 2010). Groups might also use violence against members of their own community as a way of setting examples and inducing compliance with group objectives (Mulaj 2010). Hultman (2007, 2008) argues that violence against civilians can best be understood as a strategic behavior used to strengthen their bargaining power and gain concessions from the government²⁴⁸.

Local residents also shared their perceptions about the credibility of non-state armed groups in the central-eastern tarai. Oftentimes people would denounce the violent activities of those they

²⁴⁸ “First, rebels target civilians when they believe that the government is dependent on the support of the population; the strategic aim is to turn the population against the government.... Second, rebels mainly target civilians when they are unable to impose enough costs on the government on the battlefield. It is plausible to assume that rebels in general are quite reluctant to target civilians, since it may be politically costly. Violence against civilians is used as an alternative strategy when military means are not enough to force the government to make concessions” (Hultman 2008: 14-15).

viewed to be “illegitimate” or “without ideology” but others were ambiguous or, in some cases, vocal supporters of groups that they viewed as fighting for Madheshi rights. The following was an exchange between three individuals during a focus group discussion in July 2009:

#1: The groups that are raising weapons do not have any relation with the Madhesh. They are the exploiters of Madhesh, they are looting from Madheshi people...Politically, we²⁴⁹ do many things but the armed groups are not doing this. They are killing the people, asking money [from the people], engaging in crime by using the Madhesh name. This kind of activity is commercialization or commercial [for making money].

#2: [interruption]: I do not fully agree with him, with what he says about the commercialization. Maybe some percent has used [the armed group] as their occupation but these people [pauses]...Once I heard an interview of Goit where he said “I am not a Nepali”. He said that if the UN people came then he shall sit for the talks. He said many times “I am ready for talks”. But the mediator should be the UN. This is what he wants. What I feel is, whatever number of armed groups are here they are raising their weapons because of the state’s discriminatory practices. Why do they need to raise the weapon? Because there are 97,000 army [soldiers] in this country. This data is not from me alone, but from the commander of police. And they say that from these 97,000 only 1,700 Nepal Army are Madheshi but there are only 150 carrying weapons. The remaining ones work there as cooks, some as barbers, some as *dhobis* [washerman]. This is the discriminatory practice that is prevalent in the Army. The state has also discriminated while distributing the citizenship. The state used to practice—the person would only get citizenship if he wears a Nepali *topi*. This shows that the state has the interest to end our identity of clothes. The feelings spread out and people, foreign people, started thinking that there are no people like Madheshis, [they think] everyone is pahadi. This is also a discriminatory policy of the state. Because of this the armed groups are working—because of the discriminatory policy of the state. Another thing, whatever revenue is collected in Nepal, out of 100 percent, 75 percent of it is collected from Madhesh. But among these groups also, there are different views. Jwala Singh emphasizes on our culture. Goit says “I am not a Nepali because this is a Madhyadesh and the ruler of this country is Magadh king. India has given Madhesh as a gift [to Nepal] to grow crops”. This is Goit’s logic. But this kind of logic is not accepted by all the Madheshis living in Madhesh. We also do not agree with this logic. After the declaration of the republic, Madheshi people have become the victim of killings, murders, criminal activities. The armed groups are using the language, the culture, the religion as weapons in the tarai. While there were British rulers in India, Gandhi-ji had used the ideology of peace. Subash Chandra Bose accepted the idea of raising weapons. What I feel is, all armed groups are raising weapons not only to fulfill their own needs, some of the groups are also fighting for the Madheshi rights. They have raised their weapons to provide Madheshi rights and freedom. The culture and

²⁴⁹ Some among this group, including the speaker, are active supporters of national political parties.

religion are used as weapons to favor the Madheshi rights and to give freedom to the Madheshis

#3: [I agree with you that] the present armed groups are using language, culture as their weapons to fulfill their demands. Weapons are used as means to eliminate all kinds of discrimination, exploitation. They are using [weapons] to give some kind of freedom to the Madheshis. To some extent these concepts are used as weapons by the present underground armed groups. Madheshi people have not spoken about the domination of the state until now but Madheshi armed groups are using the weapons to some extent, be it in a positive aspect or negative aspect and have been working to open the eyes of the dominant group....the armed groups in tarai are also using language and culture as a means to fulfill their demands. To a great extent I take it as a positive thing about this raising of weapons by the armed group (author interview July 2009).

The exchange above demonstrates the complex ways that local civilians view the armed groups in the tarai. While some view the use of “slogans” like fighting for Madheshi rights, others believe that this is a façade used for criminal activities. Still others are unclear about the objectives of “raising Madheshi voices”. The quote below expresses the confusion some feel in trying to understand the violence behind the “Madheshi cause”:

Their objectives are also not clear. Madheshi leaders are saying, “we have come forward for the Madheshi people and Madhesh” but what are they actually trying to prove? Because as we can see these days, Madheshi people are killing Madheshi people, they are driving away the local *pahadi* people, taking ransom, doing abductions, killing people. It is not clear whether they are using the name of Madhesh for their own personal benefit or for the benefit of Madheshi people. It is not 100 percent clear because they are torturing not only pahadis but also the Madheshis. So looking at all this, we are still unclear about what the Madheshi leaders are actually wanting (author interview July 2009).

The “line between the struggle against the state and against *pahadis* has blurred in Madhesi politics; armed groups have selectively targeted *pahadi* bureaucrats and businessmen; *pahadis* have become insecure, and some are migrating” (ICG 2007d: 29). While not all community members supported the activity of NSAGs, or even the idea of ‘ek Madhesh, ek pradesh’, many identified with the rhetoric of belonging and non-belonging to the state.

“Ek Madhesh, ek pradesh” and Elite Manipulation

As discussed in previous chapters, the prospect of “ek Madhesh, ek pradesh” has elicited varied reactions in the central-eastern tarai. Some are supportive of the idea, as evidenced by the exchange with a group of villagers below:

Villager #1: We want a Madheshi state. We want government to provide a special budget for Madhesh. The budget should only be for the welfare of Madheshis

Villager #2: Now there is no unity in the Madheshi parties. Even the pahadis are divided. Without unity there is no existence. Some Madheshi groups want to go to war for Madhesh. We are Madheshi and we will definitely go to war. Everyone needs their rights.

K: Is a war necessary for getting your rights?

Villager #1: Yes. By war our needs can be met

K: And what kind of rights?

Villager #1: We do not want a central government. We need a federal provincial government. We need individual rights—for example, women’s rights. Everyone should have equal rights [from] government.

K: What kind of rights, specifically?

Villager #1: Freedom to speak. [And] there is no money for the community. We need a federal state. Only a federal state can help to solve our basic problems. The government has not provided seeds or irrigation. This is time for cultivation. We are backward. Unless we get Madhesh as a separate state development is not possible for our community. Until and unless we get our Madheshi rights, our state will not be developed (author interview July 2009).

The message from this man was strong; fighting, even violently, for a Madheshi state was something he, and other villagers in this area, supported. Recognizing that not everyone in the group nodded their head in agreement, I inquired further about the armed groups operating in their area. One villager stated simply, “Some people like them, some don’t. Those groups are dividing us” (author interview July 2009). This sentiment reflected what an NGO worker had told me a few months earlier: “exploitation [of civilians] is the main factor [for armed groups]

due to political interests. These days in tarai our social harmony is disturbed... political groups poison [our] communities” (author interview March 2009).

Perhaps the most prominent change in postconflict central-eastern tarai occurred in language, which became more symbolically and emotionally charged, and increasingly divisive. “Tarai or Pahad” and “Madheshi or Pahadi” were molded and shaped into antagonistic binaries. It became common to hear about a universal pahadi oppression of Madheshis. A 2007 ICG report elaborates on identity issues raised by Madheshi politicians and NSAGs:

Although clashes between plains-origin Madhesis and hill-origin *pahadis* have gained prominence, identity politics in Nepal is far more complex than this split suggests....However, Madhesis have grievances unique to them, and the Madhesi movement has unquestionably raised critical issues; whether and how they are addressed will have a profound impact on the peace process and the reshaping of national politics (2007d: 1).

As an example of the simplistic binary narrative prevalent in the region between 2008 and 2009, one person told me, “today Nepal is existing as two countries: pahad and Madhesh” (author interview February 2009). Another individual commented, “this is a country of two: pahad and Madhesh. Internationally, people do not recognize Madheshis as national [Nepali] citizens; all [representations of] national culture belongs to the pahadi people. Internationally, Nepali culture is shown as the culture of hill people” (author interview February 2009). Another individual explained, “there is no recognition of Madheshis, there is no sense that we belong to the country, there is no equal share of the power” (author interview February 2009). In some ways, these new movements are advocating for unity in the face of discrimination and adversity but are, at the same time, denying internal stratification or hybridity within the category of Madheshi. Judging from the excerpts above, these efforts have been largely successful.

While they have found support in some communities, not all tarai inhabitants support the policy of “ek Madhesh, ek pradesh”²⁵⁰. One woman reflected, “Ek Madesh, ek pradesh is only a slogan. Maybe [it is used to create] fear that we will mix up with India and be like Pakistan...we might be like India and Pakistan” (author interview March 2009). I spoke with a group of Muslim men in Saptari district in the summer of 2009 who shared that they had a very different relationship to the idea of “ek Madhesh ek Pradesh”. They told me the following: “we have a totally different view [of Madhesh]....we don’t support “ek Madhesh ek Pradesh”. The name of a province should not be rooted in a particular caste” (author interview September 2009). The idea of caste or ethnic based federalism for some groups, as seen in this quote, is undesirable and produces anxiety and fear for the future (author interviews 2008-2009). For some, the notion of creating a province with an identity-based label ignores the fact that, all over Nepal, there are no districts with a statistical ethnic majority. At a public lecture in November 2008, a leading Nepali intellectual made the following argument, which highlights this idea:

Ethnic federalism has danger of conflict between ethnicity and ethnicity, castes, classes, etc. The Maoists used ethnicity rather than class as an election tool; this is an un-Marxist conceptual idea. There is the expectation of prior rights to an ethnic homeland but there is a mixed population...this is a country of micro-communities (November 2008).

During our interview one individual echoed a similar sentiment, “[ek Madhesh, ek Pradesh] is difficult to talk about. Looking at our country this demand might not be applicable. Whatever

²⁵⁰ For example, in an interview with the International Crisis Group in 2007, the Nepal Federation of Indigenous Nationalities president, Pasang Sherpa, stated: “our friends in the Madhesi movement call for ‘one Madhes, one province’ but we disagree. The Madhes’s various *jana-jatis* have a different identity...[Madhesi activists’] interpretation of self-determination and our interpretation are also different” (2007d: 31).

changes happen we are interdependent...so it is really hard to say if it is practical” (author interview September 2009). One man further reflected,

In my own opinion, on the basis of caste, language, religion we can't manage a federal state. Everyone has rights, independent status. How to manage that? Federal states should be managed on the basis of geography or economy, not on the basis of caste, ethnicity. Some political parties say caste, religion [should be the basis of a federal state]. It means they are misleading the people. If different caste groups singing songs of self-identity how can we be a federal state? In Nepal there are so many castes and ethnicities. How can you manage a state like that? (author interview March 2009).

I asked one local man how he thought the anti-pahad rhetoric came into being. He told me, “the political leaders created this situation. They are raising cheap slogans of pahadis versus Madheshis” (author interview July 2009). I often heard local people reflecting on the political machinations of leaders, asserting that political party leaders were using local people as instruments in a power play. Another individual expressed, “when they started raising the Madheshi rights issue they said pahadis were imperialists and they started driving pahadis out of the Madhesh” (author interview September 2009). One local individual reflected, “the leadership [government] was very wrong. But forcing pahadis to migrate, setting houses on fire. Is this right? They [pahadis] were driven out—slain and raped” (author interview March 2009). A local NGO worker reflected on the complexity of rigid identity markers: “In tarai we say we have been exploited by pahadis but what I see is that pahadis are exploited by pahadis as well. We also have upper caste and lower caste. In pahad minorities exploited by upper caste. In tarai exploited by pahadis and other castes as well... Pahadi people speak Maithili, also wear *dhotis*, *kurtas*. Madheshis also speak Nepali language, pahadi language, celebrate each other's festivals” (author interview March 2009).

Other individuals reflected on the impact such divisions have had on their communities. The excerpts below highlight the frustration that local people feel when politicians do nothing in the face of extreme insecurity and violence:

If there is the hot issue of pahadi-Madheshi being raised in Madhesh then what are the politicians doing? Why aren't they serious about this issue? The politicians are creating an environment by making fights between the pahadis and Madheshi people just to remain in power. No political leaders have come forward to say that we should unite, that we must not fight with each other. There are no politicians that are really talking for the unity of Madhesh. To have a federal state is not a bad idea but the fight between the ethnic groups is a bad idea for everyone within this country. Therefore we do not believe in raising the weapons for the restructuring of the nation (author interview July 2009)

These political leaders are pushing the common people to raise the weapons and kill the ordinary people. This shows that leaders are playing games with the ordinary people to fulfill their demands. We have not seen any of the political leaders' son or daughter raising weapons for the country. Only the common people are killing their own brothers and sisters in the name of rights and freedom. We people are also so stupid that we are ready to give our lives in the name of nation, in the name of state, in the name of personal rights (author interview July 2009).

These narratives demonstrate that, for many civilians in the central-eastern tarai, NSAG frames do not resonate. Such counterframing is indicative of the heterogeneity of central-eastern tarai, and Madheshi, community location and experience; challenging the narrow definitions of Madheshi identity that NSAGs proffer.

Rent-Seeking, Criminality, and the Open Border

Other local men and women discussed NSAG rent-seeking activities to explain violence in the central-eastern tarai. As argued earlier in the thesis, the distinction between “legitimate/illegitimate” and “ideological/criminal” is anything but clear in the central-eastern tarai. Furthermore, interests vary amongst, and even within, NSAGs in the region. In addition to activist promotion of “ek Madhesh, ek pradesh”, NSAG members might also partake in criminal

activities as “opportunists”, while leaders may become conflict “entrepreneurs” where power and prestige is garnered through the formation of political and criminal alliances (Berdal 2009).

While this thesis does not subscribe to a simple, reductionist vision of elite manipulation in the central-eastern tarai, it does recognize that there may be other interests at stake and the frames presented to the public may conceal more than they reveal (Brubaker 2004: 18). In other words, the vision of an autonomous ethnic province touted by NSAG leaders and activists may have as much to do with profit-seeking and thuggery as with ethnicity (Brubaker 2004). Criminal violence may emerge in the shadows of strategic violence (Bakke 2010: 96).

Interview respondents expressed that levels of violence and insecurity persist in the tarai because of poverty and unemployment. They explain that the lack of readily available jobs combined with the lure of “easy money” contributes to youth joining armed groups. During a conversation with a local woman in the summer of 2009 she explained to me her perception of the participants in NSAGs in the central-eastern tarai:

These armed groups take away the lazy ones, the unemployed, the jobless people because these people get easily influenced by the economic facilities. They especially take away boys who are below 18 years of age who have hot blood, they are active, and easily influenced. They do not use any criteria, like physical criteria, while joining the armed groups. But they encourage them to participate by telling them “you are educated but you do not have jobs, the state is not providing you a job, you have been discriminated, so we should organize and we should fight against this discrimination”. And they also recruit by saying that when we earn money without hard work the money that we earn in one month we will not earn within one year. So they attract these youth, small children, with several kinds of motivation and inspiration. “For doing this I will give you a gun, pistol, mobile, some cash” so poor or jobless people get easily attracted to these kinds of things. They say “you just give a call to a person, ask some money and you will get half of the money. How will you earn this kind of money if you do other work? This is the easiest way to earn money” (author interview July 2009).

Other respondents discussed Nepal's open border with India as a reason for continued violence. The open border between Nepal and India offers both opportunities and challenges. Nepali and Indian citizens cross the border with no formal identification²⁵¹. Kinship ties and long-standing patterns of seasonal migration in search of employment mark border crossing as part and parcel of everyday life. Yet, smuggling and the illegal flow of goods and people across the border remains a problem for both countries. In particular, the Government of Nepal is concerned with criminal networks and movement between countries. Often, government officials and local individuals pointed to the open border as a reason for heightened rates of crime. While some explained that criminals and gangs from India were infiltrating the Nepalese side of the border, others pointed out that armed groups from Nepal would find sanctuary in neighboring India, retreating across the border when they needed to evade the police (author interviews 2008-2009)²⁵². For example, it was well known that, during the Maoist war, leaders like Prachanda found refuge in India. Yet, tightening border security in the name of reducing illicit activities and increasing security could potentially have negative consequences in the everyday lives of people living in the border area. Impacts might include increased difficulty in crossing the border to visit relatives, as well as decreased opportunities for work and increased prices of goods, resulting in higher costs of living.

Interview respondents blamed the open border with India as the reason for the presence and growth of armed groups in the central-eastern tarai. One woman shared, "because Nepal has an

²⁵¹ The Indo-Nepal Treaty of Peace and Friendship, signed in 1950, grants citizens of each country reciprocal rights to carry out industrial, economic and commercial activities and in matters of residence, ownership of property and movement (ICG 2007d). See the text at [www.nepaldemocracy.org/documents/treaties_agreements/ indo-nepal_treaty_peace.htm](http://www.nepaldemocracy.org/documents/treaties_agreements/indo-nepal_treaty_peace.htm)

²⁵² Idean Salehyan (2007, 2008) and van Shendel and Abraham (2005) explore this phenomenon in great depth.

open border with India, people who live on the other side have similar culture...these communities are poor and backward...there are some who have dual citizenship...now the criminal groups have taken advantage of the situation” (author interview August 2009).

Critics allege that “Madhesi groups have used some of these criminals to incite unrest” (ICG 2007d: 25). One individual explained to me, “most [armed groups] have links with border criminal groups. They share money, it becomes a business for criminal groups. They emerge to earn money, they have no political training, very simple weapons. You can find them anywhere along the border” (author interview September 2009). Another individual shared, “they are small groups. They visit India because of open border...they form groups and buy some weapons from India (author interview August 2009). Another Madheshi intellectual told me, “not all armed groups are political. Professional criminals are gathered from the border” (author interview February 2009).

ICG’s 2007 report explains that, “Criminal groups from Bihar and Uttar Pradesh, states with poor law and order records, use Nepal as sanctuary and operational base, especially for car thefts and kidnappings. Crackdown by Bihar’s government coupled with Nepal’s weak law enforcement may have encouraged some groups to shift to the Tarai, especially Birgunj” (2007d: 23). A local business owner in Dhanusha shared with me that “tarai politics is based on India” (author interview September 2009). He went on to explain:

India wants to make Madhesh a buffer state; not an independent country but a tarai that will always support India. This is the game played by India....they are giving support [to armed groups] to check Maoist influence on the tarai. But they couldn’t do that. They made criminals, murderers. They have become a headache for India now as well (author interview September 2009).

A front page article in the Kathmandu Post in September 2009 highlighted an AHCR report calling for officials in Uttar Pradesh and Bihar to take action against “Nepal’s armed groups operating from Indian soil” (2009c). However, despite local perceptions that India has its own vision for the tarai, India’s interest in this issue ranks low on their list of concerns (ICG 2007d).

Corruption, Law and Order

Interview respondents pointed to the postconflict environment as a reason for the emergence of non-state armed groups. Respondents cited the lack of stability, the lack of law and order, impunity, in-fighting between political parties, connections between politicians and armed groups, and corruption as explanations for the growth of NSAGs in the central-eastern tarai.

During the years 2007 to 2009, the Government of Nepal attempted to delineate between “political” groups and “criminal” groups. Yet, such a delineation is futile, since most groups occupy a “middle ground” and are not overtly “for” or “against” the government (SAS 2013b). Furthermore, such a focus centers around unearthing the primary motivations of non-state armed groups and their members, a conceptual exercise which parallels the “greed versus grievance” debate whereby legitimate groups are either classified as “politically motivated” (i.e. have a clear political agenda such as regional autonomy within a new federal system) or “economically motivated”, labelled as “criminals” and dealt with as such (SAS 2013b). However, such a binary approach does not provide an adequate analytical framework; most non-state armed groups in the central-eastern tarai defy such straightforward categorization, as the lines between “political” and “criminal” are often blurred.

Important to understanding non-state armed group activities and aims is their relationship to the state. Where states have difficulty providing services and public goods to peripheral areas, particularly in conflict or postconflict settings, non-state armed actors can occupy a space of ‘shared sovereignty’ (Mulaj 2010). When “complemented by a ‘system of violence’ in which state and non-state actors interact, coexist, cooperate, or conflict tacitly and implicitly” a new dynamic of violence is created and non-state armed actors are better able to find safe havens and launching grounds (Mulaj 2010: 7).

National-level political parties have also been described as using non-state armed groups as proxies to exercise control over certain areas of the country. Parties are therefore able to patronize selective armed groups to accomplish certain goals at a low cost (Mulaj 2010). For example, violence occurred in the central-eastern tarai, to some extent, around political elections²⁵³. For example, one leader of an armed group in Dhanusha district explained to me that his cadres had been scattered around the district prior to the 2009 by-elections in an effort to “educate” the people on voting matters (author interview 2009). It is well-known that, in Nepal, national-level politicians have ties to local *goondas* and armed groups who attempt to influence the elections in certain districts in exchange for political protection. As SAS (2011) reports, forced donations tend to increase during election cycles. Forced donations were also a common tactic of the Maoists during their “People’s War”.

²⁵³ Nepal’s 2008 elections, however, were hailed a success by the international community *because* of their perceived lack of violence.

In other instances, student elections became the site of fighting between parties and their supporters²⁵⁴. Again, in Dhanusha district, several students and one journalist were badly beaten when election results were announced in the spring of 2009 (author interviews 2009). In other places such as Ilam, student unions declared *bandhs* and shut down the district headquarters for several days.

Other individuals reflected on the reactions of police and state security. Interview respondents discussed their disappointment, frustration, or mistrust of the police and expressed their opinion that law and order in the central-eastern tarai was weak. Often, individuals expressed that police were ineffective in providing security to communities and offered a variety of reasons including an inability to catch criminals and deter crime, political ties to national actors which influenced arrests, and corruption. Some individuals explained the futility of reporting incidents reasoning that the police themselves are involved in extortion, abductions, and killings. Many people in the central-eastern tarai believe that there is a strong link between national-level politicians and local-level armed groups. For example, individuals interviewed explained that there was a relationship of protection between politicians or police and armed groups where politicians would ensure release of NSAG members who were arrested²⁵⁵.

One Chief District Officer explained to me, “Politics is the main problem. Every political party needs the help of criminals to win an election” (author interview July 2009). He explained how this works: “political leaders call the SP and pressure him to release [a member of an armed group]. If he resists, there is no systematic criteria of transferring. The SP is always afraid of

²⁵⁴ Nepal has a long history of active student politics. For more on this see Snellinger 2005, 2006, 2007, 2009.

²⁵⁵ The SAS 2011 report “Armed Violence in the Terai” confirms this in their findings as well.

being transferred to far regions so he feels he must do politicians' bidding. [Otherwise] if politicians are dissatisfied they will send him to Surkhet or Kanchanpur²⁵⁶. I find it better in Janakpur²⁵⁷ (author interview July 2009). A Kantipur article from August 2009 describes the dismissal of nine sub-inspectors, 13 *hawaldars*, and three junior personnel on the basis of their close relationship with tarai armed groups; those police were accused of leaking information to armed groups and were transferred to "remote areas" such as Rolpa, Sankhuwasaba, Agarkanchi, and Dolakka (Kantipur 2009). A 2010 ICG report notes

Senior police officers often complain about political interference when they try to take action against armed groups and criminal gangs. They are indeed often pressured and politicians can credibly threaten transfers. The Tarai districts, which are the centres for extortion, are also smuggling hubs and offer lucrative if illegal income for senior officials, who generally pay significant amounts to be posted there. Transfer threats are therefore very effective. (ICG 2010a: 22).

In a 2010 ICG report, one police officer lamented, "Now we have to think very carefully before arresting anyone with the slightest political connection. We can hardly do anything" (34). Armed groups know that political connections are precious²⁵⁸. "The parties need the armed groups and vice-versa...the former for pressure and the latter for protection" (ICG 2010a: 22).

In August 2009, the Government of Nepal implemented a Special Security Program [SSP] in 21 "sensitive" districts, with special mention of the tarai as a "high priority area" (Government of

²⁵⁶ These districts lie in western tarai.

²⁵⁷ One month later I read in the newspaper that this CDO was transferred to Kailali district (Kathmandu Post 2009b).

²⁵⁸ A series of interviews conducted by ICG supports this: "They were also directly protected by CDO and SP. The SP would call the armed groups and demand a cut and say that he would otherwise finish them. For eight to nine months in 2008 the administration was only running after money". Crisis Group interview, October 2009. Similar observations were made in other Tarai districts. "Extortion money is shared with the local police as well", said a journalist in Rajbiraj. "If not, the cadres are immediately arrested". Crisis Group interview, September 2009. According to a journalist in Lahan: "The people from the armed groups say 'the police help us because we are paying the police chief as well'". Crisis Group interview, October 2009 (ICG 2010a: 21).

Nepal 2009). The SSP was designed to: control organized crime; identify groups and individuals with criminal intent and to restrain them; to ensure a secure social environment; to enhance people's faith in the Government and to ensure peace and security; to establish mutual trust between security personnel and local people" (Government of Nepal 2009).

While intended to curb violence in the region, the security plan, in practice, did little to convince civilians of that they were *more* safe (author interviews 2009). In fact, just the opposite occurred; police in the region were increasingly accused of staging "encounters" whereby local police used entrapment to kill suspected members of armed groups but later framed them as a defensive attack. In fact, under the new Special Security Plan, INSEC reported a total of 182 killings from September to December 2009 (IGC 2010a). One local man described the community's relationship with the police: "people here see the police and run away" (author interview September 2009).

In an interview with one local CDO I asked him about the new security situation in the region. He expressed the following:

CDO: Nepal is in transition. Mainly those districts in the mid-tarai are the most problematic, from Saptari to Parsa. These districts face more criminalization. So we are launching anti-criminal activities.

K: Why are these areas the most affected?

CDO: There are 107 armed groups in Nepal, 53 armed groups in the tarai. People are not feeling any risk to make criminal activities. But we must be concerned with human rights matters. We are not able to punish [armed groups] severely, we are not able to dominate them (author interview March 2009).

This CDO placed equal blame on, what he labels, “criminals” and his force’s constrained response in light of a human rights framework.

During the summer of 2009 several armed groups were in negotiations with the Government of Nepal. There were a variety of demands made of the government including release of their imprisoned cadre and guarantees that leaders of the negotiating team would not be arrested (author interviews 2009). One police officer shared with me that the Government of Nepal had released a list of the country’s most wanted individuals the day prior but it did not include the names of any of the tarai armed groups because “it is too politically sensitive. These groups that are in peace talks with the government, the police can’t pursue them. We have to provide security to them” (author interview July 2009). In essence, the police were providing protection to some of the country’s most wanted.

Throughout my fieldwork I heard and read about the state of “law and order” and the lack of security in the tarai. Newspapers, government officials, political party workers, and local civilians similarly discussed “impunity” as the “real” obstacle to progress on the security front (author interviews 2008-2009). In a July article in the *Himalayan Times* the editorial staff writes, “since impunity comes mostly from the backing of the higher ups in the political parties, the political leaders are also to be blamed for this state of affairs” (Himalayan Times 2009a). In a *Republica* editorial in June 2009, Daulat Jha writes “the culture of impunity continues unabated...it is the political parties who are supporting these criminals in bargain for power games that are played at the center. The police, of course, turn a blind eye, or when forced to act, prefer extra-judicial killings...or more simply, just kill and dump the body across the border”

(2009). The ICG notes that, “the victims of encounter killings – essentially police extrajudicial executions – are usually armed group members lacking both public sympathy and high-level connections (ICG 2010a: 26). Daulat Jha continues, “looking at the larger picture, the first thing that stands out is that people in the central and eastern tarai districts have lost all faith in the police” (2009).

More than losing faith in the security forces, some individuals have feared becoming targets of the police or APF simply *because* of their perceived sympathies. One person discussed the phenomenon of extra-judicial killings in the central-eastern tarai:

Some people might feel good about the killing of armed groups. After Agash Tyagdi was killed the neighbors killed a goat to celebrate. Businessmen might be happy²⁵⁹. But the new policy is not the right way because it doesn’t look like an encounter. A bullet to the head, for example [doesn’t look like an encounter]. These kinds of killings have a bad impact in the community. Because tomorrow I, or anyone, can be the victim of the police (author interview August 2009).

I spoke with a local journalist shortly after the Security Plan was implemented and he explained the phenomenon of “encounters”: “the police are saying that the killings were ‘encounters’ but after looking at the situation, the way they are killed it is very different, very unusual. The way they are killing, the process they are using is very far from the law of human rights. [In my opinion] this activity will create more problems in the tarai” (author interview August 2009). The journalist continued with a story about a well-known local leader of an armed group:

²⁵⁹ The ICG reports that businessmen in Dhanusha paid for the murder of several armed group leaders in 2009. “The price for such an extrajudicial killing may be as low as Rs. 200,000 to Rs. 300,000 (\$2,600 to \$3,900)” (ICG 2010a: 22).

A few days back I received a phone call from Akash Tyagdi²⁶⁰. He called me to Janaki mandir. I was surprised and said, ‘why? It is an open place, aren’t you afraid of the police?’ He told me, ‘who is there to be afraid of? No one is going to give me harm. Maybe the DSP is a dear friend. He takes money from us, tells us when the [patrol] van is coming, where the squad is’. So the armed groups have police protection. The local police have a relationship with armed groups. When there is bargaining between the police and armed groups and demands are not met, they [police] kill the person and call it an encounter (author interview August 2009).

I heard another version of this story later where it was explained that the police had learned of Akash Tyagdi’s whereabouts, captured him, and took nearly two *lakh* rupees from his possession before they shot him. It was later reported to be an encounter (author interview August 2009).

In a conversation with the Deputy Superintendent of Police (DSP) in Janakpur one afternoon we discussed the recent deaths of local leaders of underground groups. Speaking of Akash Tyagdi he offered the following statement: “Akash Tyagdi was a criminal. People were happy when he died” (author interview September 2009). Of the other he commented: “Abinas Mukti²⁶¹ died in the ambulance. No one can prove that anything else happened” (author interview September 2009).

Kidnapping and extortion have become big business in the central-eastern tarai and armed groups are responsible for most of those activities (ICG 2010a). However, armed groups “depend on a wider network including politicians and the police to operate with near impunity (ICG 2010a: 21). State/non-state and legal/illegal are not clearly distinct and separate entities; rather, they often operate together. As MacGaffey and Bazenguissa-Ganga write, “the boundary

²⁶⁰ Tyagdi was the leader of Tarai Mukti Sena.

²⁶¹ Abinas Mukti was killed under curious circumstances. Competing myths abound but the commonly held opinion in his village is that the police orchestrated his death by “hiring out” local *goondas* to beat him to death. While he didn’t die from the beating he did not survive his ambulance crashing into another vehicle on the way to hospital.

between legal and illegal is a political one, established by the dominant to maintain their power and control” (in Nordstrom 2004: 137). In Siraha, for example, I returned from an interview with armed group members to find a prominent national politician holding court with other members of their group in the hotel room across from mine. The ICG notes,

There are indicators that organisational lines between political parties, *gundas* and armed groups are blurring. In Morang, for example, well-known *gundas* previously only informally affiliated with major parties have entered their district leadership in 2009. Relations between parties and armed groups in the Tarai tend to be less formal, though still publicly known. In Nepalgunj, a notorious armed group leader was regularly seen in the UML party office before he went underground after the killing of a VDC secretary in January 2009 (ICG 2010a: 2).²⁶²

In Dhanusha, a local man lamented, “how the government will make this place safe, I don’t know...[look at] our “elected leader”: no one expected Sanjay Jha²⁶³ to win here—he is a murderer, rapist, a *goonda*” (author interview September 2009).

One way of explaining this relationship is by examining the functions of political parties. In Nepal, political parties have long functioned as “shadow states” (ICG 2010a):

People approach them to access services, to appeal decisions, to take forward petitions, to press for development schemes, to complain about corruption or other abuses, to intervene in disputes or to have people arrested or released from custody. While most politicians act as intermediaries, the more powerful leaders in effect usurp state authority by becoming arbiters of matters that should be in the hands of bureaucrats, police officers or judges (ICG 2010a: 41).

²⁶² The performance of (political) violence in Nepal is not new, however. For example, in the tarai, local landlords have long used gangs to control local politics (Gaige 1975; ICG 2010a). Similarly, networks in the tarai have employed the use of goondas to secure choice contracts (Rinck 2008; ICG 2010a). A 2010 ICG report notes that “Neither the use of violence in politics nor the protection of criminal activities by politicians is new. Throughout the Panchayat era of non-party government centered on the palace and particularly from the 1980 referendum onwards, the government mobilised youth gangs to suppress the democratic opposition. After the 1990 transition, political parties drew on these established networks and used *gundas* systematically in elections. In the eastern Tarai, bandit gangs had long helped to enforce the authority of local political leaders and easily slipped into the same role” (ICG 2010a).

²⁶³ Sanjay Jha won a seat to the CA. He is well known in the area for engaging in criminal activities.

Acting within the same political culture as mainstream parties, armed groups attempt to offer certain benefits and services to local communities. For example, when Abinas Mukti was killed in the summer of 2009, local human rights organizations did not offer the support that local villagers were seeking. However, the local leader of Mukti's group organized a community-wide meeting, provided a forum for discussing Mukti's death, and decreed that a local park would be named in his honor (author interview July 2009). This action on the part of the armed group did much to win over the support of the local community.

Conclusion

This chapter has presented original ethnographic data that speaks to civilian perceptions of how and why they experienced violence in the postconflict period. Through the presentation of the narratives above, this chapter examines how new political contestations in the postconflict period have led to a reconfiguration of socio-political relations in the central-eastern tarai. Specifically, this chapter highlights the heterogeneity of opinion and experience through a presentation of civilian "counterframes": narratives that challenge the claims of non-state armed groups. These "counterframes" (Benford and Snow 2000) are: political context, elite manipulation, criminality and open border, and corruption/law and order. Ultimately, while some individuals supported and accepted the work of the non-state armed groups, others vehemently opposed it. These counterframes demonstrate that NSAG frames did not always resonate with civilians. For some, such as those who perceived that NSAGs were merely criminals, NSAG frames of fighting for "ek Madhesh, ek pradesh" lacked consistency and credibility. For others, the relationship between NSAG frames and empirical events were questionable; could NSAGs really achieve "ek Madhesh, ek pradesh" and, if so, what would it look like and is it the right choice for the nation? The voices presented in this chapter, in combination with the narratives of previous chapters,

have presented an argument for examining the politics of postconflict and the ways in which the transformation of socio-political relationships in this space and time have impacted on individual and group lives.

CHAPTER TEN

Conclusion

This thesis focused on the violence of postconflict and demonstrates how the new, and uniquely, politicized contestations in a post-CPA Nepal have contributed to continued local-level violence between the years 2007 and 2009. It aimed to show the ways in which social relationships are being reconfigured in the postconflict period and how such transformations have impacted on individual and collective lives in the central-eastern tarai region of Nepal. It set out to examine these issues through an examination of the central research question: *How was the local level violence that persisted after the signing of the Comprehensive Peace Agreement understood by conflict actors and civilians in the central-eastern tarai? Furthermore, how do NSAG members and civilians experience that violence? More broadly, in what ways are social relationships being negotiated in the postconflict period and how have such transformations impacted on individual and collective lives in the central-eastern tarai region of Nepal?*

The first part of this thesis focused on literature that contextualized the development of the Nepali nation-state and presented an analytical framework for understanding space as implicitly social and political, a critical means of understanding relations between the state and residents of the central-eastern tarai. Such an approach allows for an examination of how new discourses about spatial territorialization and belonging has led to continued local level violence. Such a framework illuminates the socio-political implications of an ethnofederal proposal and, importantly, how and why discussions about ethnicity have become significant in the central-eastern tarai. It allows for an examination of how specific (ethnic and historical) rhetoric was used to mobilize NSAG recruits and gain support from local civilians. Chapter five presented the

concepts of borderlands and belonging as conceptual frames used to analyze the narratives and perspectives of local level actors in explaining continued violence in the central-eastern tarai.

Chapter six presented a discussion of ethnofederalism, both broadly in the literature and more specifically in the central-eastern tarai. It argued that the prospect of ethnofederalism shaped notions of identity and ethnicity and provided the framework for violent activism and the emergence of non-state armed groups in the central-eastern tarai. The chapter also presented a discussion of collective action and framing to ground later narratives around NSAG mobilization that sought to understand how those frames were *interpreted* and *perceived* by local level civilians and, furthermore, how and why certain actions were taken.

Chapters seven, eight, and nine, together addressed how social relationships are being negotiated in the postconflict period and how such transformations have impacted on individual and collective lives in the central-eastern tarai region of Nepal. Specifically, chapters seven and nine presented civilian perceptions of, and experiences with, violent conflict in the central-eastern tarai between the years 2007 and 2009, while chapter eight presented narratives of NSAG members that offered their perspectives of, and experiences with, violent conflict. The ethnographies presented in these chapters therefore provide a range of empirical evidence on ‘postconflict’ violence in Nepal. This thesis thus provides the first comprehensive account of violent conflict, specifically in the central-eastern tarai, after the signing of the Comprehensive Peace Agreement in Nepal. In interrogating “postconflict” as a concept with universal application, this thesis asks, “which peace, for whom”; how is truth “constructed, who has the

right to speak what counts as the truth, and whose interpretations of reality are ignored, marginalized, forgotten or disqualified as anecdotal and unscientific” (Keen 2008: 15).

Key Findings and Contributions to the Literature

This study argued that, in Nepal, a highly politicized “postconflict” environment produced low-intensity violent conflict in the central-eastern tarai between the years 2007 and 2009, transforming social relationships there. In so doing, this research project has developed several important arguments.

The main theoretical contribution of this thesis is the finding that new actors are involved in low-intensity violence in the “postconflict” period in the central-eastern tarai region of Nepal. This finding fills a gap in the conflict recurrence literature which assumes that the actors who are involved in conflict violence and “postconflict” violence are one and the same. Scholars studying conflict recurrence focus on how and why peace agreements breakdown and the reasons why parties to the agreement choose to return to armed conflict. This thesis, through the empirical chapters presented, builds from these studies and presents a different argument, examining the production of violence by new actors after the signing of a peace agreement. This thesis clearly presents new empirical research that demonstrates how new non-state armed actors emerged after the signing of the Comprehensive Peace Agreement in Nepal.

New conflict(s), New conflict actors

This thesis argues that factors which are exogenous to the previous conflict provide the impetus for violent conflict in the postconflict period. The key variable that explains low-intensity violence in the central-eastern tarai is the proposal of ethnofederalism. The discourse around this

potential new institutional arrangement helped to foster a strong and particular consciousness of ethnicity and ethnic distinctiveness. The prospect of the new institutional arrangement drew physical boundaries over imagined ethnic ones and ‘ethnicized’ spaces by [attempting to assign] “exclusive rights over uninterrupted territories to a single ethnic group” (Pfaff-Czarnecka and Toffin 2011: xxix).

Yet, as the thesis shows, ethnic identities are not a causal explanation for violent conflict; the driving force behind [ethnofederal] activism is not *inherently* ethnic, rather, it is the fear of exploitation by the central government [Hale 2008]. In the central-eastern tarai, as elsewhere [i.e. Hale 2008], the perception of the central government and assessment of both its past and future actions drives activism and mobilization. Discourses around political representation are thus based, not only on ethnicity but, on historical experiences with inclusion at the national level and a sense of belonging to the nation-state. Understanding postconflict violence therefore requires, not only an appreciation of the historical context, socio-cultural backdrop, and local roots and dynamics of violence, but also how different forms of violence overlap, interact, and merge (Berdal 2009: 51).

The thesis also contributes to the literature on ethnofederalism. Often, ethnofederations are born at the end of a violent conflict, as in the case of Bosnia, Aceh, South Sudan, and Ethiopia. Within the literature, ethnofederations have been examined as a “last resort” choice when feasible alternatives are absent. Yet, in the case of Nepal, a variety of alternative federal arrangements are possible. However, while most agree on the perceived necessity of federalism, there has been no agreement on how to move forward with state restructuring. This thesis builds on the existing

literature but adds a new thread: where the focus of the literature on ethnofederalism has been largely evaluative, this thesis focuses on the process of *mobilizing support* for ethnofederalism. In other words, this thesis examined ethnofederalism not as an already established institutional arrangement but as a potential one. Through an in-depth qualitative study it asks the less studied and more interesting question of how the prospect of ethnofederalism has impacted on postconflict violence from the point of view of ethnic activists and local civilians.

That power has been concentrated at the center to the exclusion of the peripheries has been widely recognized in Nepal. There is therefore a general perception that federalism, and ethnofederalism in particular, will provide a solution to problems of power and resource distribution, inequality and marginalization, allow for the recognition of identity and encourage diversity, and reduce conflict. But, while the choice of ethnofederalism is unclear, questions surrounding the feasibility of an autonomous Madheshi province arise. For example, who would benefit and who would be excluded in a new Madheshi province? As the thesis makes clear, Madheshi identity is fluid and dynamic; in other words, what characteristics of “Madheshi-ness” must a person have in order to secure a seat at the governing table? What will happen to non-Madheshis (not just pahadis but Tharu, Muslim, and adivasi groups)? Matthew Maycock (2011) asks similar questions in his study of the Tharuhat movement in western tarai: “some (mainly supporters of the UCPN (M) in Kailali) have asked if there were enough skilled Tharu to be able to enable the various elements of a Tharu autonomous state to function properly. What would the situation be for non-Tharus within an autonomous state? What would the establishment of Tharuhat Autonomous State mean for the various Tharu sub-groups such as the Kamaiya and Rana Tharu? Would it be beneficial to all Tharu or a more specific group (perhaps the current

leaders of the movement)?” (87). The answers to such important questions remain unclear at this time.

How was violence understood by Non-state armed groups?

This thesis showed that local level violent conflict is rooted in social, political, and economic issues. Chapter eight presented an ethnography of non-state armed groups and addressed the questions of how conflict participants understood and experienced violence. As such, it provided important new insights about NSAG recruitment, participation, and training.

Conflict onset and conflict recurrence literature show that, while much is known about conflict actors in intrastate wars (i.e. rebel groups and state actors), not much is known about new conflict actors that emerge after the signing of a peace agreement. While conflict recurrence literature suggests that conflict actors party to the original war and subsequent peace agreement take up arms again for reasons having to do with, for example, spoiling (Stedman 1997; Perlman 2008) or connections to former “entrepreneurs of violence” (Themner 2011), this thesis demonstrates how new conflict actors are recruited into new non-state armed groups for reasons exogenous to the original conflict. Non-state armed groups in Nepal’s central-eastern tarai are different from the Maoists; they pursue different aims with different methods and capacities (ICG 2010a: 16).

Yet, as preceding chapters demonstrate, the Maoists did open up the space for wide-ranging public debate and unprecedented political participation from previously marginalized groups. The Maoists changed the way people interacted with one another, and with the state. It is therefore important to recognize the ways in which the Maoists’ own rhetoric and action

impacted on the conflict in the tarai. Madheshi leaders did not just spontaneously adopt ethno-nationalist rhetoric, rather, such rhetoric was central to Maoist strategy of exposing the discrimination on the part of the state, and society more broadly, and served to articulate ethnic claims to an ethnic province.

Furthermore, the ethnofederal proposal made space and ethnicity important by fostering a strong and particular consciousness of ethnicity and ethnic distinctiveness. NSAG members and leaders discussed their desire to see an autonomous Madheshi province that would include their political voices and fairly allocate resources to their communities. Interviews and focus group discussions with NSAG members revealed that a sense of “belonging” to the nation-state was a motivating factor for joining up with local armed groups. Individuals discussed their perceptions of, and experiences with, discrimination and exclusion as reasons for participating in violence. In the central-eastern tarai, the language and the symbolization of “rights” and “equality” in the “postconflict period” sustained and justified violent acts. NSAG members discussed suffering from state exploitation which they perceived as ethnic discrimination; they explain that the Nepali government views Madheshis living in the borderland region as Indians and, therefore, somehow not loyal to the nation and undeserving of political representation. Others explained that belonging to an armed group meant that they were fighting to better their community, supporting the “pleasure in agency” theory forwarded by Wood (2003). For these members, belonging to an armed group offered a sense of fulfillment that they felt they could not find elsewhere.

Interestingly, many NSAG members presented themselves as reluctant participants in violence framing their choices as a “last resort” in their fight to develop their communities. For example, some individuals discussed their perception that, because jobs were not made available to them by the government, young men were left with the choice of either migrating abroad for work or joining armed groups in the community. Others expressed that because the government hadn’t listened to them in the past, joining an armed group was the only way they could petition for expanded rights, equality, and political representation²⁶⁴. Doing violence, for some NSAG members, was a way of alerting the state to their demands and making their voices heard.

How was violence experienced by NSAGs?

Between the years 2007 and 2009, armed groups in Nepal’s central-eastern tarai proliferated. Since the signing of the Comprehensive Peace Agreement, the tarai has “acquired the status of being the most insecure and violent region in Nepal (SAS 2011). Chapter eight specifically examines the meaning of participation, modes of recruitment, and types of training for NSAG participants, further contributing to the conflict recurrence literature. Individual interviews and focus group discussions with NSAG members and leaders offer new qualitative empirical data on new armed actors in the postconflict landscape. This chapter illuminates the life-worlds of NSAG members and the ways in which they discuss, negotiate, and choose violence.

NSAG members discussed acts of violence within the context of their perceptions of, and experiences with, historical discrimination, marginalization, and exclusion by the state. Non-state armed group members discussed efforts to provide order and security, both for themselves and for their community. NSAGs targeted individuals based on their real, or perceived, affiliation to

²⁶⁴ See also Chenoweth and Lawrence (2010).

the “pahadi” government in Kathmandu. For example, NSAG members discussed specific acts of violence as ways of providing security for Madheshi communities since they perceived that the state attacked innocent Madheshis, as in the Madhesh Andolan. Others explained that they were “righting the wrongs” of pahadi government servants or killing government servants who were “corrupt”. This is consistent with Mulaj’s (2010) findings, for example, that NSAG efforts to claim legitimacy include linking violent actions and use of force with a justifiable political end.

This study further demonstrated that “political” and “criminal” armed groups were not mutually exclusive entities. As such, recruitment and mobilization efforts differed over time and space for non-state armed groups. While NSAG members themselves rarely discussed joining an armed group for reasons other than fighting for “ek Madhesh, ek Pradesh”, civilian interviews revealed that some groups operated for, in their perception, criminal reasons which included activities such as kidnapping and extortion. It must be noted that none of the NSAG members interviewed discussed violence done against other Madheshis within the central-eastern tarai despite the evidence to the contrary. This is not altogether surprising considering that NSAG members purport to be political activists regardless of their potential participation in criminal activities. Local civilians, however, reflected on this phenomenon, as will be discussed in later sections.

NSAG members further discussed the training that they received, which included weapons training and slim political trainings. They also reflected on their experiences of being “underground” and the ways in which they interacted with local residents. Beyond sharing the “rules” of living as an NSAG member, individuals reflected on the support that they reported to have from local residents. That community members offer NSAG members shelter or food is not uncommon, as this occurred widely during the Maoist war, but no mention is made in interviews

of the power dynamic at play between weapons-wielding cadre needing a place to hide and local civilians in a position to refuse them. As later sections will discuss, there was support amongst communities for NSAG members, if not for their activities then for their stated political vision.

This thesis demonstrated that non-state armed groups in Nepal's central-eastern tarai are unique conflict actors within the postconflict landscape. As such, the narratives presented in the thesis offer new empirical data that contributes to studies on postconflict violence. Yet because non-state armed groups are so diverse, the search for generalization that aims to explain all non-state armed groups is not terribly useful (Mulaj 2010). Rather, concentrating on case studies allows for comparison and contrast between cases which may lead to more nuanced generalizations and theory.

How was violence experienced by civilians?

Chapter seven presented data on abduction, murder, and IED explosion rates for the years 2007 through 2009. The data demonstrated that, despite the widespread use of the term “postconflict”, residents in the central-eastern tarai experienced the highest rates of violence in the country during the years 2007 to 2009, averaging about 50 percent of all killing and abduction incidents in the country during this timeframe. This led some individuals to not only question the applicability of the term to their experiences, but firm up their perspective that a strong disconnect existed between both international actors and the state and residents in the central-eastern tarai. Others intimated that the term served to silence their voices. In other words, residents in the tarai commented that the term better reflected the situation in the hills (*pahad*) than the situation in Madhesh. For residents in the central-eastern tarai, the term “postconflict”

negated or erased the conflict and violence that they faced during the years following the signing of the Comprehensive Peace Agreement.

Chapter seven presented the narratives of local residents, highlighting the ways in which social relationships are being negotiated in the postconflict period and how such transformations have impacted on individual and collective lives in the central-eastern tarai region of Nepal. Local residents experienced violence in several ways: direct violence carried out by armed groups in the form of murders, abductions, and extortion; threats; forced donations and other forms of forced support; displacement during and immediately following the Madhesh Andolan; clashes between rival groups such as between NSAG members or Madheshi activists and Maoists; targeted killing of government representatives; and police-led killing of suspected NSAG leaders, members, and supporters. Local residents experienced indirect violence, too, in the form of increased feelings of insecurity; a sense of community division as a result of Madheshi-pahadi rhetoric; and symbolic violence in their perceptions of continued state-led discrimination and marginalization.

Rates of murder and abductions, for example, intimately impacted the lives of local residents. Mothers, for example discussed their fear of sending their children to school lest they be captured by an armed group, while women further discussed changing their habits of walking outside after dark. Other residents shared that they feared making small improvements to their homes so as not to draw the attention of armed groups seeking forced donations.

Counterframes

Chapter nine presented civilian narratives that countered NSAG claims of political activism around the goal of establishing “ek Madhesh, ek pradesh”. In interviews and focus group discussions, four key themes emerged as explanations for continued local level violence: political context, elite manipulation, open border, rent-seeking and corruption/law and order.

While NSAG members chose not to discuss issues such as corruption or greed as explanations for continued violence in the central-eastern tarai, local residents readily presented these as causes for the emergence of non-state armed groups and their subsequent violent activities. Where NSAG members desired to project a unified voice for “Madheshis”, local residents were quick to point to criminal activities that had little to do with fighting for “ek Madhesh, ek pradesh”. Individuals explained that, in their opinion, NSAGs proliferated because of high rates of unemployment and poverty, perceptions which parallel scholarly theories of conflict onset in Nepal (i.e. Do and Iyer 2007; Murshed and Gates 2005). Others pointed to the open border to explain the rise of criminal activity, a phenomenon examined by scholars such as Idean Salehyan (2007; 2008) and van Schendel and Abraham (2005).

Local residents discussed the legacy of the Maoists as reasons for continued violence and pointed to the context of uncertainty, impunity, and lack of law and order to explain the growth of NSAGs in the central-eastern tarai. Many perceived that the Maoists taught new groups how to pursue their goals through the gun. Others explained that they thought connections to political leaders contributed to NSAG activity, arguing that those in political positions were able to have members and leaders released when arrested.

Individual interviews and focus group discussions revealed the perception that politicians and armed group leaders were manipulating ethnic rhetoric in the central-eastern tarai. Respondents, both NSAG members and civilians alike, often shared their reflections on belonging to the nation-state; arguably, conflict “entrepreneurs” (Richards 2005) were well aware of such sentiments and created frames around them which held meaning for residents of the region, otherwise they would not be intelligible in the first place.

Furthermore, civilian narratives that question, not only support for NSAGs, but the very concept of “ek Madhesh, ek Pradesh” demonstrates the variety of opinion and division of sentiment amongst Madheshi community members. As other studies have argued, identity is a social construction that serves particular purposes and can be used to regulate social interaction. Civilian narratives that challenge non-state armed group constructions of ethnicity demonstrate the diversity and heterogeneity within the Madheshi community, deconstructing the idea of a monolithic identity. This thesis, therefore, demonstrates that concept of ethnicity in Nepal’s tarai is something that is constantly being re-shaped and re-constructed-both by everyday people as well as elites at both the national level and within the community. As such, this project contributes to studies of identity in Nepal, further building on work that posits ethnicity as fluid and dynamic (i.e. Pfaff-Czarnecka and Toffin 2011; Shneidermann 2010).

Policy Recommendations

As the International Crisis Group notes, the peace process in Nepal is a “reassuring concept but only embraces certain aspects of the transitional processes. It has not delivered a linear progression from conflict to stability. Instead it has prompted new conflicts and reinforced more cyclical patterns of political violence” (2010a: 7). Interviews and focus group discussions with

central-eastern tarai residents and conflict actors revealed that the term “postconflict” itself was a loaded one with limited applicability to their situation. Policymakers and peacebuilders should contemplate the political implications of the language chosen. Rather than pursue wholesale application of a particular label, policymakers might consider the political work that such a term does. For example, who benefits from the use of the term and who suffers? What are the resulting consequences? Certainly, one cannot anticipate all of the groups that might take issue with terms like “postconflict” in a particular context; however, as not only this case, but cases around the world have shown, violent conflict does not always end with the signing of a peace agreement, making the accuracy of such a term questionable at best. Policymakers might do well to consider more precise terms that may or may not be exported to other conflict contexts.

Detailed information provided in chapter eight can help policymakers and practitioners understand the emergence of non-state armed groups in Nepal and calculate their responses. There is limited information and analysis of non-state armed groups in the central-eastern tarai region of Nepal. Without such information, appropriate and effective policies and interventions are difficult to design. This thesis works to fill this gap. As such, this thesis has demonstrated how the complexity of the ‘postconflict’ environment combined with proposed administrative changes, memories of inclusion, and ideas of belonging to the state cannot be reduced to simplistic narratives around “legitimate” or “illegitimate” actors.

It is crucial, therefore, that careful consideration is given to the particular political, social, and economic environment in which non-state armed groups emerge. Furthermore, not all armed groups are the same. Even within a country like Nepal the variety of reasons for, and

configurations of, armed groups differs. For example, while both Madheshi-based armed groups argue that they are fighting for autonomy within the newly proposed ethnofederal state, Tharu-based armed groups are fighting, additionally, against what they perceive to be Madheshi aggression. Thus, non-state armed groups vary widely in their goals, strategies, and tactics. An approach that helps to identify incentives and disincentives for continued violence is important for policy in that such an analysis offers a more nuanced picture of who participates and for what reasons in a transformed political, social, and economic environment (Berdal 2009). Additionally, while Maoist PLA have been disarmed, demobilized and, at the time of writing, poised for reintegration, NSAG members in the central-eastern tarai may require different approaches from the government and/or international policymakers. The implication for the policy and peacebuilding community is that more attention must be paid to the goals, strategies, and tactics of non-state armed groups in the “postconflict” period, those which very well may be different from those of the former rebels. Moreover, innovative paths to peacebuilding could include looking beyond the standard “postconflict” practice of repairing state-opposition group relationships (i.e. Maoist and Government of Nepal) and instead focus on inter-group dynamism and peace in local terms.

Another important policy implication of this research is that institutional design requires in-depth knowledge of the societies the institutions are meant to govern (Bakke and Wibbels 2006: 38). Administrative changes to the nation have had a strong, acute impact on discussions around identity and belonging in the central-eastern tarai. In particular, the proposal of ethnofederalism has made ethnicity politically salient and represents the basis around which ethnic collective identities, specifically non-state armed groups, have been formed in the central-eastern tarai.

Utilizing a relational theory of ethnicity (Hale 2008) to explore how ethnofederalist activism occurs in a unitary state, such as Nepal, opens the door for future theory-building. Such a theory is directly relevant to other countries that might be considering devolution of power, for example, after a civil war. Moreover, a careful analysis of ethnofederalist activism enables us to better understand the conditions under which particular institutions were created. Assessing such formative moments in history has important implications for future analysis of state restructuring in Nepal.

Directions for Future Research

Although this thesis is case-specific, the approach and findings have general applicability. The main empirical finding is that new conflict actors are involved in low-intensity violence in the “postconflict” period in the central-eastern tarai region of Nepal. Moreover, factors which were exogenous to the original conflict have helped to produce continued violence in the post-peace agreement period in Nepal. Further research could examine new actors that emerge in other “postconflict” contexts, further contributing to the conflict recurrence literature which largely assumes that the actors who are involved in conflict violence and “postconflict” violence are one and the same.

This thesis began with a historical overview of Nepal’s socio-political “unification”. Since Frederick Gaige’s 1975 study on the tarai, very few academic projects have centered their attention on this region. While a limited number of anthropological studies focus on tarai social groups such as the Tharu (Guneratne 1994, 1996, 1998, 2002; Krauskopff 1995, 2007) and Limbu (Caplan 1970), there has not been, to date, an in-depth academic study of the central-eastern tarai and the people that live there. This thesis has effectively started to fill this gap.

While this thesis presents an important political anthropology of the central-eastern tarai, for reasons of scope and space, I was unable to offer a traditional anthropological study of the changing social and rhetorical dynamics of Madheshi communities and the “Madheshi” ethnonym. While participants in central-eastern tarai based non-state armed groups occupy the same social space and ethnonym as civilians across the tarai, they should not be taken implicitly as representative of “all Madheshis”, not simply because this thesis argues for hybridity and heterogeneity, but because other “Madheshis” very strongly feel that non-state armed actors do not represent who they are and who they want to be.

Other studies might also examine group to group dynamics and new “networks” that non-state armed groups have spurred in Nepal. In what ways have the growth of armed groups across the country given shape to new types of social, political or economic assertion in Nepal beyond the central-eastern tarai? More broadly, what are the diverse agendas of those actors? Additionally, future research might include studies on other spaces in Nepal and ask what levels of post-CPA violence might have looked like in other places in the country.

As Basto (2010) notes, scholarly attention to ethnofederalism has tended to emphasize ethnic factors over the political context in which ethnofederalist demands are embedded. As such, this research contributes to an understanding of the evolution of ethnofederalism. Furthermore, most scholars of ethnofederalism focus their attention on the phenomenon of secession, for example, autonomous federal units that withdraw, or petition to withdraw, from the federation to pursue independent statehood; this study departs from that line of inquiry. Instead, this study narrows in on the conditions under which activists (in this case, violent) in potential ethnofederal units

petition for *inclusion* into a new federal state. This is an important line of inquiry not only from the short-term perspective of a case study situated in a particular place and time but from a long-term one, too. For example, for future scholars who may be interested in analyzing why the federal arrangement in Nepal may have succeeded or collapsed, a study such as this could provide critical insight into the conditions that allowed such a federation to come into being in the first place.

Conclusion

Today's "peace" in Nepal is fraught with "postconflict" violence. But this is not an indication of Nepal's implicit "failure"; this thesis is not about "failed peace" in Nepal, nor does it even advocate that Nepal is a "failed state"²⁶⁵. Instead, it is a challenge to prevalent thinking about the political *meanings* of terms like "postconflict" and "peace".

Terms such as "postconflict" oversimplify "the analysis of how change actually occurs and how violence originates, persists and evolves in everyday life" (Montoya 2010: 20). Often the decision to label periods of 'war' and 'peace' are more political than intellectual (Montoya 2010). Qualifiers such as "pre" or "post" forces an omission (Montoya 2010). What do we miss through such periodizing?

For many analysts, armed conflict in Nepal ended with the signing of the CPA. But a focus on spectacular events ignores the more subtle manifestations of everyday violence (Montoya 2010) in Nepal. Much of the central-eastern tarai's collective violence is ignored in analytical accounts; a trend following the historical lack of research on the political, social, and economic dynamics

²⁶⁵ See also ICG 2010.

of the region. “Who has been given the right to speak what counts as the truth about a given conflict? Whose interpretations have been marginalized and disqualified? And what practical purposes are served-and reinforced- by the definitions adopted?” (Keen 2008: 15). The answers to such questions help to understand that conflict and conflict actors are not monolithic, that “war” and “peace” are not mutually exclusive, present or absent, and that terms such as “postconflict” risk erasing the deep and complex histories and experiences of individuals and groups seeking recognition of particular forms of conflict and (re)forming complex social relations. In contrast to the broad use of the term ‘postconflict’ by national and international actors, local interpretations of the term differed and its use was often rejected.

This thesis has provided a corrective to mainstream assumptions about “postconflict peace” by presenting a case study of violent conflict which persisted after the signing of the Comprehensive Peace Agreement in Nepal. It analyzed the ways in which social transformation took place in the central-eastern tarai region as a result of new, and uniquely, politicized contestations in “postconflict” Nepal. It presented civilian and non-state armed group perceptions of, and experiences with, violent conflict between the years 2007 and 2009. It took borderlands as a unit of analysis and belonging as the analytical framework to explain how the formation of the nation and relations between the state and central-eastern tarai residents impacted on NSAG recruitment and activism, as well as civilian perspectives on that activism. The study offered new empirical data by presenting an ethnography of NSAG recruitment and participation as well as narratives of civilian perceptions of, and experiences with, violence.

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Appendix 1: Madheshi Mukti Tigers Manifesto²⁶⁶

Nepal is viewed as a Himalayan country in the world. The plain land stretches from Mechi in the east to Mahakali in the far west. This flat plain land has been neglected by different historians and rulers in the past. For some people in Nepal there are two parts: one is the hills and the other is tarai/Madhesh. Madhes covers thousands of miles and contains more than half of the entire population. 'Madhes' is a historical land. The word Madhes is written in different scriptures...it is written that the present day Madhes is the northern part of Madhyadesh. 'Lumbini', the birthplace of God Buddha, and 'Janakpur', the birthplace of Janaki, are situated in Madhes. The history of Madhes has its own significance. Madhes is known for its cultural origins. It is a land where the Mahabharat range is to the northside and India is on three sides.

Madhes is a central part of Nepal which is not often mentioned by various writers and tourists but has a great role in making the nation active and lively. Still, the inhabitants here are facing many problems such as inequality, exploitation, and discrimination. From the very beginning there are very few numbers of Madheshis working in government, administration, and other important posts.

For centuries the very existence of Madhes has been in danger. The land of Madhes is being captured by the pahadi as well as Assamese, Burmese and other non-resident Nepalese. As a result, 60 percent of the land has been captured by the pahadis and non-resident Nepalese. Now, Madhesis are facing an identity problem. On one side, Madheshi lands are being captured by others at a rapid pace while on the other side Madheshis are being treated badly, being discriminated against.

In 1774, Prithvi Narayan Shah, ruler of Gorkha, defeated this place. In 1814 there was a war between Nepal and the British East India Company and Nepal lost this land. But on 28 November 1815 this land was captured again through the Sagauli Treaty. From that period, until now, the state has been treated as a different creature. There have been various steps to erase and destroy the identity, language, and culture of Madhes. For instance, in 2011 B.S. the National Education Planning Commission was formed and implemented...a study of Nepali language. There was a movement, a sharp reaction, against this language policy across Madhes. That movement was settled by using excessive force by the administration in power. From that time onward, the National Education Commission, the New Education Plans, and the language policy have been regarded as a conspiracy to eliminate Madheshi language and culture. This is a conspiracy of pahadi rulers to keep Madheshis in the minority while the hill people migrated into the tarai lands with government protection and facilities.

²⁶⁶ This is an unofficial translation of the Manifesto provided to me in July 2009.

Different programs such as Nawalparasi rehabilitation, and [rehabilitation] in Jhapa and Sarlahi...gave settlement to the people of Darjeeling, Assam, and Burma, in addition to the pahadi people, at different places in Madhes. In this way, in different districts, hill people were provided settlement in a very conspiratory way. More than this, the Madheshis were compelled to migrate, and were driven away from, Jhapa, Morang, Chitwan, Dang, forever.

In Nepal, from the first ruling period, there were different political and non-political institutions to raise the various problems of Madhes and Madheshi people [such as] Tarai Congress, Sadbhavana Parishad, and Nepal Sadhbhavana Party. But these political institutions and parties also neglected Madheshi people and started to look [out] only for themselves and their individual aims.

Again, after the so-called re-establishment of democracy Madheshis had high hopes and visualized that their problems of discrimination and exploitation would be heard. But the so-called mainstream parties did not meet their expectations.

During the last 16 years Madheshi Dalits and janajati problems were raised as national issues in political circles but the Maoists and the Seven Party Alliance signed a Comprehensive Agreement which completely ignored [the problems in Madhes]. There was a continuous state of exploitation and discrimination in Madhes and of Madheshi people. There were no other options besides the armed struggle for the Madeshis. Therefore, as a child of Madhes, Madhesi Mukti Tigers had to be formed to start an armed revolution.

The constitution and elections are only for cheating Madhes and Madheshi people and an active rejection is the responsibility of conscious Madheshis. The high hopes and aspirations of Madheshi communities has come to an end. As a consequence, the situation of Madheshi people has become worse. Madheshi Mukti Tigers wants to end all kinds of exploitation, discrimination, and inequality and aims to make a new age where all religions, castes, communities, and language speakers can feel comfortable living in this country. Our group wants to take forward definitive and timely programs to meet these objectives.

Objectives: Eliminating political, economic, social, cultural, and linguistic discrimination, exploitation and inequalities. Establish a democratic, equitable society.

Policies and Programs

1. Federal State System: Nepal is a multi-religious, multi-caste, multi-cultural country where mainly two communities reside. One is pahadi and the other is Madheshi. However the specific, monopolizing Brahmanbaad ruling class has been ruling as a single government system biased towards Madheshis. If we follow the words of the beloved Raghunath Thakur, then a different map is found. The land belongs to Madhes. People are Madheshis, voices are Madheshis and the administration belongs to Gorkhali.

Therefore, in democratic, Republican Nepal, Madhes should be liberated from the hands of the Gorkhalis and should make a self-governing provinces with self-decision in a

federal governance system. Besides defense, external affairs, and monetary rights, all other rights should remain with the federal province of Madhes.

2. **Reservation Policy:** This is the most effective policy to eradicate centuries of discrimination and exploitation of the Madheshi people and establishes social justice. Until now, this right was given only to caste groups but we demand that the government provides 50 percent of seats to Madheshis in every government and semi-government services. We strongly want to provide reservations in every sector in the province, on the basis of population, to the Dalit class of Madheshis.
3. **Linguistic Policy:** Language is not only the medium of expression but also the carrier of culture for all communities. Not because of a lack of knowledge, but because of a lack of linguistic knowledge, Madheshis were bypassed, which is the opposite of social justice. The world history is the evidence that for making specific groups slaves the rulers try to destroy its language. In order to strengthen and develop the mother language, Madheshi Mukti Tigers shall put forth its best effort to include Hindi, Maithili, Bhojpuri, Newari, Awadhi, Urdu, Rajbanshi, Tamang, Rai, Limbu, Magar, Gurung, and Marwari languages in the constitution. Our policy is also to make Hindi, the contact language of Madhes, a national language in Nepal.
4. **Citizenship:** the present citizenship law is biased and against Madhes and Madheshi people. This discriminatory law has denied lakhs and lakhs of bonafide citizens in receiving citizenship certificates. After the Second People's Movement, the rulers again introduced discriminatory laws which prevented many Madheshis from getting citizenship. This was the continuation of the conspiratory activities of the Gorkhali ruling class. Madheshi Mukti Tigers promotes only two types of citizenship: one is naturalized citizenship and the other is citizenship by birth.
5. **Problems of Landless People and Degradation of the Environment:** There is a very large mass of pahadi people living in Madhes as a result of the deforestation of valuable jungles. As a result, political, economic, social, cultural, and environmental disturbances erupted in this place. Because of this kind of ecological imbalance, the land of Madhes, which was considered a fertile land for crops, has become a desert area. People of Madhes are facing the problems such as famines. The deforested lands were only given to the pahadi people and not one inch of land was given to the landless Madheshi people. Madheshi Mukti Tigers strongly supports the idea of "Save the Jungle and Save Madhes" where the land that was taken away by the pahadi people will be given to the poor, landless people of Madhes.
6. **Defense:** it is necessary to change the present unitary character and form of the Nepal Army and make it accessible to every caste and community as a 'National Army'. To not allow for the enlistment of Madheshis into the Nepal Army is a total non-compliance of the ethics of democracy, human rights, and social justice. Therefore, Madheshi Mukti Tigers strongly emphasizes proportional participation on the basis of population in the

Nepal Army. This kind of work will increase the emotion of love for this country between all communities and the Nation and national integration progress can become more successful.

7. **Agricultural Policy:** Madhes is the main producer of food in Nepal. The livelihood of Madheshis is mainly based on agriculture. To uplift those Madheshi farmers and workers, the only solution is to implement the “Green Revolution” which will make accessible all kinds of necessities such as manure, fertilizers, and seeds at a reasonable price to all farmers. Today, only 14 percent of the land in Madhes is irrigated. The living conditions of Madheshis is degrading day by day. Consequently, hundreds of thousands of Madheshis have to leave their homes and go to foreign lands to survive. On one side, the Government of Nepal is turning its back to the idea of a “Green Revolution” while on the other side it has compelled the farmers to sell their crops at a cheap rate. Farmers cannot sell their crops to the international market as per their wish. These kinds of unpopular policies are resulting in deteriorating conditions for Madheshi farmers. Unemployment and poverty is increasing every day in Madhes. Therefore, it is crucial to develop the “Green Revolution” in Madhes. The Madheshi Mukti Tigers strongly emphasizes transforming agricultural techniques into industrial facilities and providing the agriculturalist and farmers all kinds of facilities. Madheshi Mukti Tigers prioritizes agriculture as a national interest. This will develop the conditions of Nepal. It can become self-reliant. If the government cannot provide fertilizers, seeds, and facilities to the farmers it has no moral rights to claim the crops produced in Madhes.
8. **Unemployment Problem:** This problem is taking shape in Madhes. Lakhs of people in Madhesh, even the educated, are trapped. Not only common educated individuals but technically trained people are unemployed. The main reason behind this kind of problem is the exploitation and discrimination from the pahadi Gorkhali rulers. Madheshis are exploited and discriminated against in government and semi-government services. With the increase in poverty, the majority of educated individuals are unable to take part in self-employment programs...this kind of discriminatory practice on the part of the government is still prevalent. The situation can take a dangerous form if these kinds of problems are not addressed by the state. This is unfortunate for the country. The conditions and problems that Madheshis are facing can easily be seen when we look at the numbers of people migrating to India in search of work.
9. **Internal Colonization:** Nepal is a multi-lingual, multi-religious, multi-caste, and multi-cultural country but until now, the idea of a mono-lingual, mono-cultural society with one dress that only belongs to one group has been the practice. Nepali society is divided into rulers and ruled, exploiters and exploited groups. The rulers in this country are using the imperialist policies of one religion, culture, economy, and language. There is a conspiracy to eliminate Madheshi language, culture and identity. Madheshis’ culture and the policy of clothes-which is something close to the people, like dhoti kurta-has been neglected. Madhesi farmers and peasants have been exploited since the beginning of the country. Out of the total revenue of the country, only 13 to 15 percent is allocated for development projects in Madhes. Until now, lakhs of pahadis have been settling here in

Madhes and, as a consequence, the Madheshi community has remained as a minority group. The rulers have been adopting colonial policies towards the people of Madhes. Hence, Madheshi Mukti Tigers condemn this kind of policy and is prepared to eradicate this kind of internal colonization.

10. Educational Policy: The past and present governments of Nepal have shown unequal policies for different educational institutions. As a result, there is a decrease in the educational qualities and educated people in Madhes...
11. Foreign Policy: Madheshi Mukti Tigers believe in maintaining friendship with all nations protecting its sovereignty. Madheshi Mukti Tigers rejects the idea of radical nationalism which is opposed by our neighbors India and China. We have special social, cultural, and economic relations as well as an open border with India. Realizing this, our group believes in developing its special relations with India. It gives its moral support to ethnic movements all over the world and our party requests that all the governments of the world give moral support to the Madheshi Liberation movement.
12. Human Rights: Today, all over the world, the issue of human rights is increasing. In the 1990 constitution, articles 11 and 23 have discussed constitutional guarantees. But, in practice, every human being is being prevented from enjoying their human rights. It is written that citizens of Nepal would not be discriminated against on the basis of religion, class, caste, and ideological beliefs. If it is so, then why are Madheshis regarded as separate citizens? Why are Madheshis not included in the Army? Why are there few numbers of Madheshis in the police force? This kind of inequality and discrimination can also be found everywhere in the judiciary system. Therefore, an armed revolution was the only options for us. We were compelled to organize and start the armed movement. Constituent assembly elections cannot be accepted by our party. The pahadi government has cheated us. We had hoped that our condition would get better but it remains the same. Madheshi Mukti Tigers wants to eliminate all kinds of exploitation, discrimination, and inequality for a new age where every religion, community, caste and linguistic group gets the feeling of equality. To meet these objectives, this party will prepare a definitive program for Madhes and its people.

Appendix 2: Agreement Between the GoN and the UMDF²⁶⁷

Respecting the sentiments and aspirations of the Madhesi people of Nepal, expressed during the protests and movements that they have organized time and again for equal rights, this agreement was signed between the Government of Nepal and the United Democratic Madhesi Front, to ensure (the establishment of) a federal democratic republic in Nepal (with a) multiparty democratic system of governance, by guaranteeing equality, freedom and justice for all the nation's people, as well as by putting an end to all types of discrimination. This agreement will be immediately implemented. The points of the agreement are as follows.

1. The state shall declare as martyrs those who were killed during the Madhes movement and shall provide adequate compensation to those maimed and those who are yet to receive compensation. Similarly, arrangements shall be made for those injured during the movement to receive medical expenses and those martyred shall be given due recognition and their families shall be provided rupees 1 million as relief, and those arrested shall be immediately released.

2. By accepting the Madhesi people's call for an autonomous Madhes and other people's desire for a federal structure with autonomous regions, Nepal shall become a federal democratic republic. In the federal structure, power shall be divided between the centre and states in a clear manner according to the (constitutional) list. The states shall be fully autonomous and shall enjoy full rights. By keeping Nepal's sovereignty and integrity intact, the decision regarding details of the (constitutional) list and the division of power between the centre and the states shall be made by the Constituent Assembly.

3. The existing legal provision for 20 percent, in Sub-section 14 of Section 7 of the Election of Members to the Constituent Assembly Act 2064, shall be changed to 30 percent.

4. It shall be mandatory for the state to carry out appointments, promotions and nominations in a manner such that there is inclusive proportional representation of Madhesi, indigenous nationalities, women, Dalits, (people from) backward regions and minority communities in all state bodies, including the security sector.

5. Proportional, inclusive and group entry [*tr.* entry in the army as a group] of Madhesi and other communities shall be ensured in order to give the Nepal Army a national and inclusive character.

6. The Government of Nepal and the United Democratic Madhesi Front request all armed groups agitating in the Tarai to come to talks for a peaceful political process and to find a solution through dialogue. The Government of Nepal will take immediate steps to create a conducive

²⁶⁷ Agreement between the Nepal Government and United Democratic Madhesi Front, 28 February 2008 (unofficial full-text translation). Source: Miklian 2009a.

environment for this purpose. We appeal to everyone to help conduct the Constituent Assembly election on 10 April in a peaceful, violence free, impartial, fair and fear-free environment.

7. The Government of Nepal will immediately release all those who have been detained, withdraw cases filed against Madhesi leaders and party cadres of the Forum as well as of other parties, and immediately implement all other points of the 22-point Agreement signed between the Government of Nepal and the Madhesi People's Rights Forum on 30 August 2007 (2064 Bhadau 13).

8. All protest programs called by United Democratic Madhesi Forum shall be immediately withdrawn. The Government of Nepal will be responsible for the constitutional, legal, political and administrative aspects of the points of this agreement. The government shall form a high level monitoring committee including members of the Front to monitor the implementation of this agreement.

Signed,

Rajendra Mahato, National Chairman Sadbhavana Party

Upendra Yadav, Madhesi People's Rights Forum

Mahantha Thakur, Chairman, Tarai Madhes Democratic Party

Girija Prasad Koirala, Prime Minister, Government of Nepal

Appendix 3: The Parasite

Written by Rajendra Bimal

“She was as if a baby idol made of the whitest piece of Himalayan ice, a white little dove, a white lily blossomed in a truculent ocean, a lively sculpture of a frolicking girl or a white rabbit freely romping in a green forest thoroughly washed by incessant showers of rain. Kalpita! My darling!

The moment she would step into my courtyard with the ecstasies of a thousand springs, fragrant with infinite numbers of blooming flowers, I would lapse into a state of semi-trance. She would never walk, rather she would jump playfully up and down along the road. She was like the engine of a toy train pulling a bevy of nursery girls with school bags on their backs, steaming off, whistling, creaking, jingling, jangling...

Kalpita is the daughter of my friend Prabhu Dungel but she has ever bestowed emotions of a real daughter on me. She has turned me into a horse many times, saddling up and riding, clip clop, clip, clop. Even now she jumps on my back and beats my bald head, even though she is twelve

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I love to embellish my backyard garden with flowers and plants, trees and climbers. This is the finest specimen of my craftsmanship. I am happy that its lush green trees of mango, guava, and litchi have richly flourished this season.

She has arrived here two months ago. I was depositing soil on the roots of Mallika, a hybrid mango tree. The tree was about six feet high. I bought it from the local nursery. The boughs were overloaded with mangoes. Kalpita appeared there out of nowhere, steaming, whistling like a train, and shut my eyes with her small fingers. “Is it Bina, my wife?” I pretended. She giggled hysterically. Now she was the one teasing me: “A father fails to recognize his daughter!”

“You naughty girl!” I rushed at her with my soil-smeared hands but she escaped. She would run behind trees and slip away. Bina was enjoying this game of hide and seek.

I returned back to Mallika. Bina and Kalpita followed me. I took notice of a small branch—a parasite had lain there. “Uncle! A Miracle!” Kalpita shrieked, “A different tree on the same tree!” I burst into laughter at her innocence. “No, Kalpita, it is a parasite on the bosom of this mango tree. It sucks its life, it will ruin the tree. The parasite does not have its own soil to grow and flourish. It thrives on the life of the tree”. Kalpita uprooted the parasite, “then this is a killer”, and threw it afar.

...

Madhesh based parties were mushrooming. Drops of Madheshi blood were boiling. Their slogans of colonization were not unjustified but the whole Madhesh was being transfigured into a vast butcher-house. Shops of pahadis were looted, some were beheaded.

...

One day Prabhu appeared unexpectedly before me. He was panicked. He sprawled out on the ground before me. His shirt was drenched thoroughly with his sweat and he was gasping for air. I was afraid. Bina fetched a glass of water and offered him a drink. He sat up and I saw tears trickling down his face. Each time he tried to speak only tears came. Finally, he spoke: “Friend, I had a horrible dream last night. I saw Madheshis beating my wife, I saw Kalpita being raped”. He stopped to cry. “We ran to your house and you let us in”. We breathed satisfaction at being rescued and I felt an unfathomable sense of gratitude. Then a gang of Madheshis approached and asked, “is there any pahadi in here you might have hidden?” and you chuckled fiendishly. You, my most trusted, my beloved friend, opened the door to make us victims. Again they raped my

wife and daughter and chopped them to pieces. And you just stood there, watching”. He started wailing. I tried to comfort him, “Prabhu it was only a dream”.

.....

Prabhu’s whole being was aching...only two words were resounding in the universe, on the earth, in the sky, in the abyss...pahadi, Madheshi, Madheshi, pahadi, pahadi, pahad....

...

Prabhu came knocking on our door at dawn. He took my hand and Bina’s and led us out to a rickshaw. He asked us to sit and we did so dumbly. When the rickshaw stopped we were at the bus station. A huge truck was before us. Durga and Kalpita were sitting on the seat near the driver. The truck was loaded down with furniture, utensils, knick knacks. Prabhu dragged us to the truck. “Brother, we are leaving. But Kalpita could not leave without saying goodbye”. Kalpita had already climbed down to clasp me. “Uncle, one day I uprooted the parasite from your mango tree. We did not know, we are also parasites. This is the destiny of parasites...” She jumped in the truck and they were gone, their hands waving as they pulled away. I longed to tell her, “Kalpita you were never a parasite. We are all the green grass of the same soil. We will be trampled a hundred times but we will keep growing” but she had already left me forever”.